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* The hon. the PRESIDENT :—" I have carefully examined the question and I do not think there is any Standing Order which enables the President to fix the time limit regarding the debate on the grants and I am not personally inclined to fix any time limit regarding the speeches of hon. Members when the motions on the budget demands are under consideration."

DEMAND I—LAND REVENUE.

* The hon. Sir NORMAN MARJORIBANKS :—" Sir, on the recommendation of His Excellency the Governor, I move

' that the Government be granted a sum not exceeding Rs. 200.36 lakhs under Demand I. Land Revenue Department.'

* Mr. BASHEER AHMAD SAYEED :—" Sir, I wish to move

' that the allotment of Rs. 33,24,000 for Land Revenue be reduced by Rs. 100.'

"The object of the motion, Sir, has been stated in the list of motions printed and circulated, and that is, to record the disapproval of the settlement policy of the Government. In this connexion, Sir, at this late hour, it is needless for me to repeat all those points which have been urged from time to time against the land revenue policy of this benign Government. In spite of repeated demands to bring the land revenue policy of this Government under popular control, at least under the control of the Legislature, this Government have not taken any serious steps to do so in spite of the promises that have been held out from time to time. Mr. President, it has been the fixed policy of this Government, so far at least as the ryotwari lands are concerned, to assess 50 per cent of the net produce of the cultivator a State demand. That principle has been fixed, in spite of the so-called temporary settlement, as an unalterable principle. The half net principle was fixed as early as 70 or 80 years ago, and times have advanced. Labour has become costly, cultivation has become unprofitable and the net benefit that the ryot derives from cultivation is next to nil. And yet the half net principle has not changed. In other Provinces there have been attempts to change the half net principle and also to bring land under a permanent settlement. In this Province, Government have no doubt several times held out promises and given pledges to bring a sort of permanent settlement for the ryotwari lands and yet they have failed to do so. The intensity and frequency of famines all over India and especially in this Presidency, though not solely due to over-assessment of the land, yet is to a large extent due to the half net principle which leaves nothing for the cultivator to live upon. The assessment is supposed to be equitable in character and moderate in principle, but we see hardly anything of the kind. The proprietor of the soil is not left ordinarily that margin of profit that will enable him to save enough to meet the strain of exceptional misfortune. Government so far have not done anything to make the cultivator more prosperous, more resourceful and better able to help himself in years of bad harvest, especially when he is visited by frequent famines; nor have they done anything to foster agricultural enterprise or to enable the cultivator to accumulate capital in order to invest it in more productive sources of industry and other productive works. Nominally, the principle that has been followed is to take 50 per cent of the net

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produce, but in the actual working of that half net principle, there has been always a growing tendency at the time of every settlement to increase land assessment. People who have been interesting themselves in land revenue have urged upon the Government to reduce this State demand to a maximum of one-fifth of the gross produce or, as I would urge here, one-third of the net produce. All these appeals or attempts or whatever they are, have fallen so far on deaf ears. It is supposed that a liberal reduction is made at the time of the resettlement, but cultivators who are actually cultivating lands and who are bearing the burden of this land revenue know in fact that there is no liberal reduction in cultivating expenses or in the cost of labour. The avowed policy of the Government has been to have a progressive reduction of the State demand but no effect seems to have been given so far to that avowed policy. The unlimited discretion left in the hands of the settlement officers in respect of changes of land classifications at the time of resettlement or new settlement is often abused, and abused to the advantage of the State and not to the advantage of the cultivator. We, the representatives, our predecessors in that capacity, have asked the Government to give us pledges against future revisions of classification of land, except in cases where the nature of the land has been affected either in its fertility or by its deterioration, but the Government have refused to give any such pledges as to classifications of land. The greatest burden for the cultivating ryot is the innumerable cesses that are being levied on the cultivator. He is made to pay on the rental value of land or on the revenue of the land for purposes which are extraneous to the benefit of the land itself. There has been no limit fixed so far in actual working as to the rate of cess that is imposed on the land and the cultivator in excess of the land tax of 50 per cent of the net produce, which he is made to pay. The cesses which are levied for the construction and repair of roads, the upkeep of schools and dispensaries and other duties pertaining to local boards are generally assessed on the assessment of the rental value or on the revenue of the land.

“ These, I submit, are a great source of impoverishment to the cultivator. In this Province the cesses amount to between 10 and 11 per cent of the land tax. But in other Provinces like Bombay, Burma and Assam these land cesses are far lower than 6 or 7 per cent. These cesses are onerous besides being excessive. There are also, as the Government are aware, a lot of illegal and unrecognized and unauthorized cesses which are a source of great drain on the income of the cultivating ryot. Though the Government know about these illegal and unauthorized cesses yet they have not taken any drastic step to prevent or put an end to such illegal demands whether they be on the part of their own officers or on the part of the landlords under whom the ryots are supposed to be cultivating. The Government have not taken any notice or even attempted to remedy the ever-increasing subdivision of holdings, the decline of industrial occupation other than agricultural and the usurious rates of interest demanded by the money-lending classes under whose control most of the ryots of the Province are, the excessive expenditure upon litigation by way of stamps and other judicial fees and the numerous payments in the form of petty bribes to officers of Government or other people. The Government have been callous and turning a deaf ear to these grievances of the cultivator. They have not legislated so far upon any money lending transactions though it is a matter of common knowledge that every cultivator in this Presidency is almost hopelessly indebted to the sowcar who is every day sucking the very

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life blood of the cultivator. In other Provinces like the Punjab, the Government have brought forward a legislation against money-lenders, but in this Province where the Government are supposed to be a great protector of the depressed classes cent per cent of whom are known to be cultivators, the ploughers and the harvesting people in this Presidency and who are to a large extent indebted to the sowcars as well as those who are in possession of the land and directly concerned with cultivation, they have done nothing. The pitch of enhancement is so high that although the Government have said that the enhancement of taxation is to be by gradual and progressive moderation yet nothing seems to be in practice, given effect to. The levy of the same assessment in bad years as well as good and the mode of calculation followed in several cases on the basis of a good harvest, on the assumption that the saving in a good year will meet the loss in the others are most detrimental to the well-being of the cultivator. Government and their officers have not taken any steps to stop the increasing deterioration of lands. The deterioration has been increasing by leaps and bounds and the rate of cultivated land has not been keeping pace with the demand of the population nor is the produce in any way keeping pace with the demand of the population. In foreign countries, in Europe and America, the question is one of over production and lower prices but quite the reverse is the case in this unhappy country. In practice where the chances of a bad harvest are high, allowances for crop failure in framing the assessment rates are not made helpful to the cultivator as they ought to be, so that when the inferior lands leave no net produce whatsoever to the cultivator, the assessment has often to be paid by the cultivator only by borrowing money from money-lending sowcars at usurious rates of interest or by stinting the necessities of life and submitting themselves to starvation and other evils following from starvation. Special arrangements supposed to be made for the remission of revenue for the failure of crops on land are very meagre. In many cases what are called savi cultivation is never given any exemption of land tax. The moment one or two grains of corn become mature, they are supposed to be beyond the pale of exemption. In several cases within my personal knowledge in the district of South Arcot, produce which is not mature and would not yield anything substantial to the cultivator has not been exempted. Lands which are deplorably fallow, lands unsown for several generations and which have remained without yielding any profit whatsoever have been made subject to payments of land tax. Nothing could be more unjust from the point of view of the cultivating ryot. Aids are supposed to be given by the Government for land improvement and other agricultural improvements."

* The hon. the PRESIDENT :—"I think the hon. Member is going far beyond the scope of the motion. Land Revenue policy does not mean land improvement as well. I rule it out of order."

* Mr. BASHEER AHMAD SAYEED :—"I obey. In fine, the person that is suffering most from the land revenue policy of the Government is the ryot. Although the theory is that the land revenue policy is administered to the benefit of the ryot, yet the high incidence of land tax and various other cesses that he is made to pay, the insecurity of the tenure, and the high assessment by the settlement officers go to add to his suffering; and whereas in other fields like the income-tax and other spheres of earning there is a certain minimum exempted from taxation, in the land revenue system of

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this country not even a single cent of land is exempted from land tax. The owner of even two or three cents has to pay at the same rate and at the same calculation a heavy assessment. No consideration is shown to his circumstance and especially the small extent of his holding. In spite of the Agricultural Commissions coming and going, unless and until the Government bring the land revenue policy within the control of the legislature and within the control of the representatives of the people, I do not think Government have any justification to claim any tax or any cess from the ryot or cultivator. 'Land revenue' according to Mahatma Gandhi 'has become the close preserve beyond the pale of law'. Such as it is, is indeed very deplorable. The regulation of assessment rests entirely with the executive authority. Every attempt hitherto made to bring it under popular and judicial control has failed owing to the dogheadedness of the executive Government. Government must somehow or other meet the evergrowing expenditure, the bulk of which is no doubt military. Land revenue lends itself to arbitrary increase as it affects the largest class, a class which has no voice, a class that can be squeezed without mincing. There should be an end to the irresponsible Government if they are to have another taxation or it should be resisted successfully. I therefore appeal to the House to see that this motion is voted upon unanimously."

* Mr. G. HARISARVOTTAMA RAO:—"Mr. President, Sir, no taxation without representation is the law of modern democracy. No representation without taxation is the law of our Indian bureaucracy. The Indian ryot is asked to pay out of his poor earnings a great deal of taxation, without having a word to speak as to the method by which he is taxed or as to the amount for which he is taxed. If we look at our budget we will find that out of 18 crores budgeted for as revenue, seven crores and odd, very nearly 45 per cent of the income comes out of the executive power of the Government in regard to revenue. The legislative bodies have nothing to do with the settlement policy of the Government of this country. This is the state of affairs which all friends who talk loud about reforms have to take note of, which all friends who talk loud about co-operating with the Government for the purpose of working on the reforms should contemplate.

"Attempts have been made and, they have failed, to induce the Government to introduce legislation on this matter. We are told, Sir, that very good rules have been framed, we are told, Sir, that the Revenue Department is very careful about the interests of the poor ryots. I know that my hon. Friend on the Treasury Bench, Mr. Marjoribanks is a very industrious man. I know that he attends to every detail, and I am prepared to concede it. I know that at one moment or another in his life he is prepared to be sympathetic to the Indian ryot. I concede that also. But yet, Sir, without representation of the ryot, without his voice being the supreme authority in determining taxation, in deciding what the Government shall put as taxation on the poor, is it possible, even for an expert like my hon. Friend, Mr. Marjoribanks to do justice to the ryot? What a number of wheels within wheels have to be crossed before anything comes to his notice? I have known instances where even Revenue Members have been helpless. Let us take actual settlements. What is it that has been conceded by Government in its own publications. If you look at the Settlement Manual, you will find that the Government are helpless in regard to the fixing of the cultivation expenses. It is a very difficult problem, they say,—the fixing of

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standards in regard to prices and standards of grain values. They have very great difficulties really in making up their mind as to what is equitable and what is not. What is allowed to the ryot as expense of cultivation is to my mind absolutely little, even according to the calculations that the Government have carefully made. Not only that. I would request all those concerned to consider very carefully whether it is not the ryot that pays all the taxation of this country; not merely the revenue taxes, but he pays almost the entire taxation of the country. He pays the whole income-tax, and I may tell my friends over there, the European members, that the income-tax they are paying is paid ultimately by the ryot, because in this country there is no other source of income except agricultural profits. The ryot in India pays the highest percentage of consumptive taxes. The ryot is ground down, with all the best intentions of an individual here or an individual there; I am not prepared for one moment to admit that the machinery of Government has any intentions. It is merely a machine; it cannot have intentions. There may be individual members who may have certain good intentions. Granting these intentions, the ryot is being ground down every day, the complaint is growing that he is poor because of this particular fact, that the revenue of this country is derived from the ryot without his vote being taken in the matter of its payment. Most of the revenue comes from him, be it land revenue, be it income-tax paid by my friends the European magnates in trade and commerce, or be it any other revenue. May I appeal, Sir, to my European friends—I could not probably succeed on a question of law and order—but may I appeal, if they have a heart in them, to rise to the occasion and tell the Government by voting for this cut motion (Mr. Muniswami Nayudu: 'Bravo') that a settlement law and a land policy subject to the control of the popular will are a necessity in this country if the ryot is to come back to his own. May I know as a proof of their sympathy to the ryots what the British representatives in this House will say to this? I do not want to take up more of your time. I commend this motion to the House and hope that there will be unanimous support for it."

* MR. R. SRINIVASA AYYANGAR :—"Mr. President, Sir, I rise to support the motion. As this question has come up before this House many a time and has been discussed threadbare, I do not propose to go into the merits or details of the question covered by this motion. But I deliberately accuse the Government, not only this Government but the Central Government, the Government of India as well, of callousness, indifference and irresponsibility; and I am tempted to go a step further and accuse the Government of being irresponsible to public opinion. The recommendations of the Decentralization Commission that were made 12 years ago have been given the go-by by this Government. The recommendations of the Joint Parliamentary Committee which insisted upon the House having a direct and potent voice in the matter of fixation of assessment have been cast to the winds. Nor is that all. When the matter came up here, the House or rather some of the old members of the House would remember that the committee presided over by the hon. Sir Muhammad Habib-ul-lah prepared a draft Bill which in a way embodied the principles of the recommendations made by the Decentralization Commission and the Joint Parliamentary Committee to place the principles of settlement on a legislative basis and that Bill received a very cold reception at the hands of this Government. And later on, Sir Arthur Knapp attempted to pilot a Bill in this House, and as some of its

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provisions ran counter to the recommendations of the Commission and some of the principles of that Bill were of a retrograde character, it produced an intensity of feeling and indignation on the floor of this House, with the result that that Bill was completely turned down by as many as 60 Members against 18 that voted for it. Now, what happened afterwards? Later on, about this time last year, the Government came up with a Bill and published it for criticism. That is exactly where the matter stands. If I remember right, about a fortnight ago, the hon. Mr. Marjoribanks told us that the Government of India were unwilling to subject the rates of assessment to the vote of the House, or, in other words, in matters of taxation, Government were very anxious to keep out the public, and were determined to see that the views of the public were not allowed to prevail. That is rather a very curious and, if I may say so, inexcusable and indefensible position for any Government to take. We the people are called upon to pay a certain amount of taxation, and the persons from whom the money is sought to be taken away are denied the *locus standi* which in every system of jurisprudence and under any system of Government people similarly circumstanced ought to be permitted to have. But anyhow, curiously enough, the Government say: 'You shall have no voice in the matter'. For what does the Government exist? Does not the Government exist for the people, and can the Government with good grace say: 'Though you represent the people, though you are of the people, in a matter affecting the people, we shall not consult the people or the representatives of the people.' That is a most extraordinary attitude for the Government to take which deserves in my humble judgment the strongest condemnation.

"We have thought it necessary to bring this motion once again, so that the Government of India and this Government may know that the people are very keen about it, that they are treating it as a live issue and are determined to fight to a finish unless the Government are prepared to go forward and meet the people half-way in the legitimate demands they have been making in this direction.

"So far as this Presidency is concerned, the income under Land Revenue comes to about 45 per cent. The incidence of taxation is the highest in this Presidency. I do not want to take the House through facts and figures, because on a former occasion, about this time last year, my hon. Friend Mr. Krishnan Nayar gave the House a complete history of this subject from start to finish, and therefore, as most of the Members of this House, I dare say, will be familiar with the literature on the subject, I do not want to take up their time. The Government have absolutely no justification for assuming this attitude and to stay their hands. Therefore, it is with this view to compel the Government to revise their attitude and to meet the people's wishes for whom and whom alone I venture to think they exist, we have thought it necessary to table this motion."

* Diwan Bahadur M. KRISHNAN NAYAR:—"I wish to make only one or two statements on this motion, Sir. I need not remind the House that all the important arguments in support of this motion have been advanced on the floor of this House many a time, and also on the last occasion when the general discussion on the budget took place. My friend the hon. the Revenue Member said in reply to my criticism during the debate on the budget that he was surprised that the subject came up again for discussion.

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I may venture to tell my friend that he need feel no surprise whatever ; for this subject is bound to come up year after year, and, if possible, month after month, until the demand of the House that the power of fixing settlement rates should be given to this Council is conceded. I may say that this motion is intended rather to help my hon. Friend the Revenue Member than to embarrass him. We know very well, and he himself said this on the floor of this House some time ago, that it is the Government of India that stand in the way, and he quoted certain passages on a former occasion in support of that statement. We are very thankful that this Government themselves are not opposed to this reform, so that if this motion is pressed and carried in spite of the opposition of my hon. Friend, that will really strengthen his hands in going before the Government of India with the demand of this House. So, that is the object and that is the reason why we press this motion in the present instance. I submit, in addition to all the arguments that have been advanced, this is an important argument, namely, that this province is the most heavily taxed of all the provinces in India. It is therefore very desirable and necessary that this power of fixing the land revenue rates which form the most important portion of revenue should be granted to the Members of this Council. In support of that position, namely, that this province is the most heavily taxed, particularly in respect of land, of all the provinces in India, I just wish to draw the attention of the House to some of the figures.

"The incidence of land revenue per cultivated acre in ryotwari areas in India is as follows.

"In Madras, it is Rs. 2-8-11; in Bombay it is Rs. 1-5-7 only; in the United Provinces (Agra) it is 1-12-8; in Oudh, it is Rs. 1-15-3; in the Punjab, it is Rs. 1-8-6; in the Central Province, it is only As. 10; in Bihar and Orissa, it is only Rs. 1-2-6.

"I quote these figures from a memorandum which was kindly put into my hands by my hon. Friend Mr. Moir on the occasion of a deputation from this Council to the Viceroy. Even if we go to the taxation per head of the population, the figures stand thus :

	RS.		RS.
Madras	27	Punjab	23
Bombay	8	Bihar and Orissa	10
Bengal	16	Central Province	8
United Provinces	12	Assam	18

12 noon.

"Having regard to the fact that this province is the most heavily taxed of all the provinces, it is very desirable that the representatives of the people in this Council should be given the power of determining the most important item of the revenues of the Presidency, namely, land revenue. I do not wish to refer to the other arguments advanced either on the present occasion or on former occasions, so that having regard to the facts, namely, that this is the most important item of revenue, and this is the most heavily taxed of the provinces and the circumstance that this resolution if carried will strengthen the hands of my hon. Friend, I have great pleasure in supporting this motion."

* MR. J. A. SALDANHA :—"Mr. President, Sir, the principle of no taxation without representation is not, as my hon. Friend Mr. Harisarvottama Rao said, a principle of modern democracy, but was a principle established

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in the most ancient of democracies. It was recognized and acted upon in the Greek and Roman republics of pre-Christian times and Italian republics of mediæval times, as also in the tiny Parliament of England in the 13th century. My friend Mr. Moir is very much shocked by my quoting instances from ancient history. But from ancient history we can learn lessons, as from modern history. As to the English Parliament, it is stated in the English Primer I hold in my hand—"The powers of Parliament grew stronger as time went on so that at the time of Edward III (I think it is in the 14th century). . . . it was not lawful for the King to raise money without the consent of his Parliament. No laws should be changed without the consent of both Houses. So, Sir, this tiny Parliament of England of the 14th century had powers that our toy Indian Parliaments of the 20th century do not enjoy. It is this fact that needs to be driven home. It is no wonder that we resent the treatment given by the British in allowing us to talk and talk, year after year but always in vain on our contention that our land revenue taxation should be based on democratic principles, that we should have the right of fixing the rate and other things recommended by the Joint Committee of the Houses of Parliament. We can see how deep the feeling is and how universal it is from the fact that we have 23 cents on this single point on this occasion. I have been in this Council for the last five years and this cut has been again and again reiterated, but still the authority of the Government of India is cited that they are against giving us this simple right which the British Government enjoyed as long ago as the 14th century. I appeal to my Christian and Catholic friends who think it is almost disloyal to the British Government to make persistent insistence on this principle. I appeal to my hon. Friend Mr. Arpudaswami Udayar who wished a greater display of the military during the stay of the Simon Commission here which wish is against the constitutional liberty for which the English and Italians in the middle ages strove. If the Catholic Church did not oppose this strife, did not stigmatise as heretics the people who fought for the establishment of this principle of no-taxation without representation, in the 14th century, then surely there is nothing wrong if we Christian now stand shoulder to shoulder with the nationalist parties and join their ranks in their fight for constitutional liberty. In fact our condemnation of the appointment of Commissions like the Simon Commission is the outcome of this strife. We are treated still as small school children under a *Ma-bap* Government; that is we are expected to treat the Government as *Ma-bap* (Laughter) that the Government are the father and mother who are yet entitled to say to us 'Have confidence in us the British Government. The time has not come for Government to levy taxes after consulting the representatives of the ryots.' We have no voice even as to the irrigation cess and we have been deprived of the power of settling the irrigation cess. . . ."

* The hon. the PRESIDENT :—"The hon. Member will do well to confine his remarks to the Land Revenue demand and not traverse the Irrigation demands."

* Mr. J. A. SALDANHA :—"I only mentioned a parallel instance" (Laughter.)

* The hon. the PRESIDENT :—"It is better that the hon. Member takes another opportunity to refer to it."

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* Mr. J. A. SALDANHA :—“ This being the highest and the largest amount of tax that we pay, what is the use of this Council at all if we have not got the power to levy the tax and fix the rate of its increase. I think this appeal will be heard by all the Members of the Treasury Bench on the opposite side. I appeal to them to make up their minds to urge the Government of India to accede to this principle. Without giving that power to us it is better that we have no Council at all.”

* Sriman BISWANATH DAS Mahasayo :—“ Mr. President, Sir, I rise to support this motion for the following reasons. It has become practically an annual Shraddha ceremony with the Members of the Legislative Council. The agitation regarding the initiation of a policy of land revenue by which the Executive Government are to come to this House for sanction of enhancement and resettlement is as old as myself, that is since 1921. Sir, Government are not going to abide by the decision of this Council and this Council time after time approached the Government and tried to convince the Treasury Benches as to the necessity of this measure. My friend the hon. Member from Malabar time and again quoted opinions, figures and what not, to convince the Treasury Benches. I am glad also that he quoted the very figures supplied to him by the hon. Mr. Moir. It is therefore needless for me to take up the valuable time of this hon. House as also myself and yourself to dilate upon the figures or the past history, as if the Treasury Benches do not know it. The young civilian before he leaves the shores of England, the first thing he does is to read the land revenue system of India. After a short training, he is posted as a Settlement Officer and as such he knows as much as ourselves, if not more. The Indian Land revenue system has a history of its own in several provinces and this is neither the place nor the occasion to dilate upon all that. But this much is sure ; that the Government are not going to submit themselves to the will of the legislature. May I remind you, Sir, that you yourself were one of the distinguished members of that Committee who spent days and days on the Land Revenue Bill to bring about a satisfactory legislation and I am sure that none felt more disappointed than yourself? It is therefore hardly necessary to recollect past difficulties and disappointments. Now what pains me and this hon. House is that after 1917 England says that she has given you a new system of Government. She has given you responsible Government and that in provinces where the Ministers are directly, and the Executive Councillors, though not legally, constitutionally responsible to the wishes of the legislature. Sir, the Provincial Legislative Council time after time has passed resolutions demanding the Government to submit to the wish of the legislature so far as resettlement is concerned and now the Provincial Government put themselves of course under the shelter of the Government of India, who are not responsible to us, on the ground that the Government of India have not allowed them to introduce the Bill. Well, if the Government of India have stood in the way, what is the meaning of the Muddiman Committee saying that ‘ we have given provincial autonomy ! Where is that autonomy if for the separation of the judiciary from the executive the Government of India do not give them permission and for land revenue legislation the Government of India do not give them permission. It is a farce to say that we have autonomy when we have none. The Government may say ‘ if we submit to the wishes of the legislature, the legislature may not allow us to enhance to that pitch or to any pitch at all ’. That seems to

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be the only possible objection. But I think this has no basis, because after the reformed Legislative Councils came into existence, this very Council has allowed the executive to levy taxes to the extent of a crore and more of rupees on the people of this province and that without demur and even that with the huge surplus. When we ask for a reduction of the tax, they say 'No'. Then where is the necessity for any possible suspicion that the legislature may not allow the levy of additional taxes when this House is responsive to the needs, when there is a necessity. It is therefore nothing short of open rebellion of the steel frame to say that we would not submit to the wishes of the legislature. You cannot go on breathing hot and cold in the same breath. It is a huge farce to say that you have given us responsible government and at the same time to levy 50 per cent of the total revenue of the whole province, in the shape of land revenue without the authority of the Legislative Council. This seems to be inconsistent with the principle of democracy and with the self-respect of this Council. I therefore appeal to the Members of the Treasury Bench not to trade in the name of democracy and say that the people of this province have democratic institutions. I think not even a minute should be wasted before a Bill acceptable to the wishes of the people is introduced in this Council.

"Well, Sir, a lot of public opinion was brought to bear when Mr. 12-15
Montagu and Lord Chelmsford went round India on this very subject. P.m.
Some of the Indian politicians who went to give evidence before the Joint Committee brought forth this point very clearly before the Joint Committee and the Joint Committee made a very strong proposal in the report that legislation on this subject should be undertaken very early. And early enough, Sir, the Statutory Commission has already come and still neither the Government of Madras nor the Government of India nor the Secretary of State, or whatever the authority may be, has made up its mind yet. This is the way that Englishmen want to treat Indians. If they are sincere in what they say, I think it is time that this sort of deviations should go. It is time that this sort of—I do not know what would be the most appropriate expression to use—but I should say 'misrepresentation' should go. With these words, Sir, I beg to support the motion."

* Mr. S. ARFUDASWAMI UDAYAR :—"Mr. President, Sir, I think the hon. Member from South Kanara made a special appeal to me. I do not know why that special appeal was made. It will probably be a revelation to my friend if I ask him to turn to page 2 and find that I too have tabled a motion on this very same subject. And, again in the special appeal he made to me, he was charitable enough to attribute what is most uncharitable, viz., that I have spoken of military discipline (A voice : 'Military rule') in the collection of taxes. I think my friend was not exactly in the land of the living (laughter) when he made that statement. However, Sir, to come to the point.

"Now, the real reason why I have tabled this motion for a cut is to impress upon this House and especially to impress upon the hon. Member for Revenue and the other Members of the Treasury Benches that there is a real feeling in this country that nothing has been done in this respect to afford relief to the ryot, to remove his grievances and enable him to carry on his work without fear of being at any moment, after a resettlement, asked to pay more. The ryot thinks rightly or wrongly that one reason why this

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Land Revenue Bill is not forthcoming is that Government want to have the right to enhance or raise the rates at their own will. Sir, as has been remarked on a former occasion, one of the objects with which I, in company with several other Members of this House, have tabled this motion is not to find fault with the Provincial Government, nor to find fault with my friend, the hon. the Member for Revenue, but on the other hand my object is to strengthen his hands, so that an unanimous vote of the House may make him represent to the Government of India that the Council and through the Council the tax-payers of this province are very eager and very desirous to have this Land Revenue Settlement Bill introduced at the earliest possible opportunity.

"Sir, you will please allow me to say something about (b) also. Or shall I say what I have to say on that separately, namely, as to the desirability of reducing the settlement rates of the tax?"

* The hon. the PRESIDENT :—"I think it comes within the purview of the Land Revenue Policy."

* Mr. S. ARPUDASWAMI UDAYAR :—"Coming to the second point, Sir, viz., the desirability of reducing the resettlement rate by at least 12 per cent, I am glad to note that Government will have no objection whatever to some such reduction. Sir, all these years the House has been fighting for, clamouring for, the remission of the Provincial contributions. While the Members of the Council have been crying very loud for this remission, the ryots also were eagerly stretching forth their hands and have been longing for a remission of the Provincial contribution, only with this object, viz., that this remission will result in a mitigation of the burden which presses heavy upon them in the form of the incidence of the land tax. And immediately announcements were made of the forthcoming remission of this contribution, I know very many representatives of ryots and very many ryots' associations expressed the desire that the first duty of the Government was to afford relief to the heavily taxed ryots. And, I think that Government were alive to the necessity of affording some such relief, for I find in the Report of the Finance Committee, which was circulated to us, this sentence—

'In the light of the information contained in this memorandum, the Committee has addressed itself to the possibility of a reduction of taxation.'

"Therefore, Sir, the Finance Committee are engaged in considering this question of the reduction of taxation, and reduction of taxation certainly means in the first place a reduction of the land tax. I have put forward this modest request that they should try to reduce the resettlement rates by about at least 12 per cent. I know that the hon. the Member for Revenue in conjunction with the hon. the Finance Member will pay special attention to this and see that as soon as possible a liberal gesture is made by the Government to win the affection of the people, who are anxiously looking forward to this generous policy of theirs."

* Mr. C. RAMASOMAYAJULU :—"Mr. President, Sir, I do not wish to cover the ground that was covered by the two previous speakers, because it does not serve any useful purpose to reiterate time and often that the Government have been obdurately defying the decisions of this Council that a Land Revenue Settlement Bill must necessarily be launched by the Government with power to fix the rates vested in the Legislative Council. I find, Mr. President, that such representations as have been made are of absolutely

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no avail against the adamant heart of the reserved half. But, Sir, I wish to point out one anomaly in this matter of the land revenue policy and it is this. The theory, Sir, that the State is the owner of all the land does not hold good and it has been held by no less a judge of this province than Sir S. Subrahmaniam Ayyar that the theory that every person who owns the soil owns it of the Government does not hold good in India. It is only the peculiar corollary of the fental system prevailing in England and that theory does not hold good in India. Therefore, Sir, I wish to attack the policy of the Government in its very foundation

“ My point is this : Sir, unless it be that the State arrogates to itself the right in the soil, the State cannot, with any consistency, either in law or in logic, arrogate to itself the power to raise the settlement rates off and on. I can understand, Sir, that for the purpose of protecting the citizens of the State, as it used to obtain in this land in former Governments, for the purpose of affording protection to the citizens, the State no doubt has taken a portion of the produce of the land but not in its capacity as the owner of the land. It did so only in its role as the protector of the people. Now, Sir, if that is the theory which is to be taken by the Government as the basis for assessing land revenue, I take it, Mr. President, that the only possible ground on which the State can raise the assessment of land revenue at any particular time must necessarily depend on the increased protection afforded by the State, that is to say, the increased amenities afforded to the citizens, by way of road developments, fresh communications or other similar amenities and conveniences. It is only on that basis that the State can, at best, take to itself the right of increasing the assessment and on no other basis can the State do that. I say this, Sir, in view of the observation made by the Special Officer appointed by the Government to draw up the scheme report in view of the resettlement going to be introduced in the districts of East and West Godavari and Kistna. In that report what Mr. Holdsworth, the Settlement Officer appointed for the purpose of drawing up a scheme report to help the resettlement operations states is this : that the prosperity of the people has increased, that the value of the food-grains has been rising and that there has been commercially and otherwise prosperity that the State is continuing to get only its old quota, and that therefore it is time enough that the quota of the produce that the State is to receive must necessarily be increased. These are the statements made by the Special Officer. So long as the subjects continue in prosperity, the State continues its part of taking a portion of the prosperity from the subjects. That is absolutely no basis either in law or in jurisprudence and therefore I wish to point out to the Government that the very basis of their reliance has absolutely no legal foundation nor traditional foundation, at any rate so far as this country of ours is concerned.

“ Now, Sir, so far as the general policy of the Government is concerned, I wish to confine myself mainly to that observation and I now proceed to deal with three or four important questions about which I have given out motions and they all come within the purview of this out motion. Out motion No. 1 refers in a comprehensive way to a disapproval of settlement policy of the Government and I hope, Sir, there is no chance of the other out motions being reached. Since they fall immediately within the purview of the first motion, I wish to deal with them along with the first out motion itself. I hope, Sir, I am entitled to do that.

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"The first of these, so far as my motions are concerned, deals with pattadars assessable at Rs. 10 and below. What I want to emphasise in this connexion is this. I have moved this motion last year also but unfortunately no reply was made. Even the Taxation Enquiry Committee made very strong recommendations in favour of pattadars assessable at Rs. 10 and below. They have viewed with sympathy the case of these people. They have pointed out that their case is one worthy of great sympathy, but all the same they felt that they were unable to make any recommendations, because, according to their view, the land tax is a tax *in rem*. I think they look on it as an inexorable law which is not to be disobeyed. This principle that the land tax is a tax in rent is merely a convention made by the people for the better governance of the country and if in a particular province there is a large section of 70 per cent of the people who own pattas below Rs. 10 and if it is possible for the Government to confer a maximum benefit by giving the minimum amount of land revenue, I cannot understand what stands in the way of the Government making this concession to the pattadars assessable at Rs. 10 and below. I hope this affords an occasion for giving the maximum amount of relief by giving the minimum amount of land revenue and to look upon it as a tax in rent. Therefore, I wish to submit, Sir, that it is a travesty of procedure to be adopted by Government which indicate so much sympathy for the poor cultivator. That is so far as this question is concerned.

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* "Then, Sir, last year when the question of suspending the settlement and survey operations till the Land Revenue Bill was passed into law was mooted in the Council, the hon. the Revenue Member was pleased to say that apart from the question of resettlement operations, it was absolutely necessary for each pattadar to exactly know the extent of the land he owned and in order to demarcate and to afford scope for people to know what really they owned, it was necessary that the survey operations must be allowed to go on. Now, Sir, at what stage are we? The survey operations have been completed. What reply has the hon. the Revenue Member to give us now? He took shelter under that argument last year; but now that the operations have been completed, I do not think that argument can hold good any longer. I may say, Sir, that with reference to the scheme report submitted by Mr. Holdsworth,—it was officially published I understand one or two months ago—this relates to one of the motions I have tabled, and I suppose it comes under this demand."

* The hon. the PRESIDENT :—"I do not think a particular scheme report can come within the purview of the motion. A scheme report with regard to a particular district cannot come under a general review. The hon. Member will have to take another opportunity to discuss that point."

* Mr. C. RAMASOMAYAJULU :—"If by chance that motion is reached, Sir, then I will take the opportunity.

"Then, Sir, with reference to the settlement operations in the East Godavari, West Godavari and the Kistna districts, my point is, this: The Government can have absolutely no objection to our request that they should be suspended until the land revenue policy is codified. As so many Members of this Council have been pointing out, this Council is at one on this matter, and has decided to compel the Government to launch a Bill in this House so as to vest the ultimate power of fixing the rates in this Council.

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Therefore, Sir, it is no use prevaricating in this matter, and the Government must gird up their loins and face the situation and launch the Bill in this House before long. That is so far as that question is concerned.

"Then, I want to submit another thing. In the matter of these settlement operations, the Government, instead of appointing special officers to make enquiries and then give reports or making enquiries and then fixing the rates in a hole and corner fashion, will be better advised to take the co-operation of the people themselves who would be in a better position to afford them the necessary facilities in arriving at the real state of the financial conditions of the tenants and ryots. So long as the Government do not do it, I assure the House that the Government will only get one-sided information or interested information from the officers of the Government, in regard to the procedure that they should follow. I therefore support this motion, and I hope the House will accept it unanimously."

* Mr. K. V. R. SWAMI:—"Sir, this question of the policy of the land revenue has been before the country for a very long time. As my hon. Friend, Mr. Ramasomayajulu, stated, the theory seems to have been put forward by this Government that all the lands in the country belong to the State. That is a wrong presumption. The land never belonged to the State at all so far as India is concerned, much less to the British nation, because the British have stepped in very late in the day. By that time, almost all the land was occupied by the ryots and improved and much investment had been made by the ryots in the full belief and faith that the land belonged to them. Now, why should anybody pay any tax at all? That is the question we have to consider, because we are now seeing what is happening in the other countries of the world. Tax is paid in any country because people want to live peacefully and they want to contribute towards the expenses of the State. That is the only reason why anybody pays any tax at all. No State has any right to collect any tax at all except for this limited purpose. The land revenue policy so far as this Government is concerned, seems to be the other way. Whether there is any need to enhance the rates or not, once in thirty years or once in twenty-five years, the land revenue must be enhanced. That is what our Government say. Why? Because, in their view, the ryot may be getting more and the circumstances may have changed since the last settlement was made."

Rajkumar S. N. DORAI RAJA:—"On a point of order, Sir. Can any hon. Member snore and sleep in the House!"

* The hon. the PRESIDENT:—"Oh, yes. Certainly. The Member who sleeps is responsible for the others going to sleep."

* Mr. K. V. R. SWAMI:—"The State seems to think, whether there is any need for enhancing the tax or not, that it must increase the tax, so far as land is concerned. My submission, Mr. President, is that it is altogether a wrong theory. Taking the present financial circumstances of the country and the budget into consideration, there is no need at all for enhancing the tax. Still, the enhancement is being proposed this year on the pretext that it is the usual practice to revise the tax once in thirty years. My hon. Friend, Mr. Krishnan Nayar, and so many others have spoken very eloquently and advanced very convincing arguments, and taking the note prepared by the hon. Mr. Moir once upon a time, they wanted to use it against the Treasury Benches, which would clearly show that this Presidency is very

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heavily taxed, that the taxation in this Presidency at any time has always been more than what it was in other Presidencies. Granting that that is true, I do not think we can convince the hon. the Revenue Member or the Government of the justice of our plea. It is not want of arguments on our side that is against us, but it is the want of strength in us to adopt sufficient means to compel the Government to yield to us that really stands in our way. We were thinking, Sir, that after the Reforms we would be given at least a partial privilege to deal with taxation and other matters as we pleased, because the Joint Committee expected that the Provincial Governments would not act in defiance of the opinion of the Legislative Councils. The present Provincial Government is pretending not to act in defiance of the opinion of this Council; but the result is the same. What the hon. Member for Revenue stated very recently was: 'Why do you raise this question again and again? The matter is pending with the Central Government and as soon as the Central Government give us leave or permission, we shall be quite prepared to do it'. That seems to be the trend of the argument on the side of the hon. the Revenue Member. Now we see the trick—as I would call it—that is played with the country. Hitherto, we expected that after the Reforms we would get certain powers and that those powers would be used for the good of the country, because the Members in this Council represent in a way the people who pay the taxes. But this Government simply say: 'We are helpless; unless the Central Government give us permission, we cannot move in the matter at all.' If the same subject is moved in the Assembly, the Central Government would certainly say: 'We have nothing to do with this matter; these are all Provincial matters and the Provincial Governments are concerned with them.' Thus, we would be moving in a vicious circle. For one reason or other, the actual recommendations that are made by this Government to the Central Government are not placed before us, so that we may know the form of the recommendation made, but the Central Government may take shelter by saying at some time or other that this is against the general policy adopted in other provinces. The hon. the Revenue Member would say 'Look here, we are all in a subordinate position under the constitution, and the Central Government is the real authority who can help in the matter'. Really if the Government honestly think that they are bound by the decision of this House and that they have got a duty to perform in a case like this, they have to move with us and to vote with us. If they do not vote with us and if they have other reasons for not voting with us, it only means that no amount of argument will convince the hon. Members on the other side of the justice of our claims; that is the only presumption that we can obviously draw. Then, what are we to do in this matter? Every Member of this hon. House knows how much the people are suffering on account of heavy taxation imposed on land. My friend, Mr. Arpudawami Udayar, went a step further than the members of the Congress Party in proposing a reduction motion for the same purpose; and from that we can presume that there is unanimity of opinion in regard to this matter. The Government do not want to yield. Of course my hon. Friends there do not adopt the means suggested by the National Congress or by the Congress Party, but have they any other means, approved by the constitution, to compel the Government to adopt a revenue policy advocated by this hon. House? My submission is that they ought not tamely to submit. We should not simply argue the case as we do in courts of law and leave the matter to the Government. In that way we shall never

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succeed. I therefore appeal to all the Members of this House not only that they should vote unanimously—which I know they will—but also to seek every opportunity to obstruct the other demands that may be made by the Government in order to compel them to yield in this matter to the wishes of this House.”

* Mr. P. ANJANEYULU :—“ Mr. President, Sir, I shall not tread the ground which has been so ably covered by the previous speakers. The general feeling is that the Government were not paying that attention to the subject which it deserves. Of all the items that go directly to meddle with the ryots, this land revenue policy is one of the utmost importance. The ryot, Sir, is the very backbone of the country and this policy which is being adopted by the Government by way of increasing the ratio of the amount of money that they should take from the ryot is coming up for criticism very often in this Council and elsewhere. If this policy is to be pursued for long, it will not be a wrong prophesy if I say that if the ryot comes to know where he is, he will pick up that amount of non-co-operation for which the Government policy will be directly responsible. And what the Congressmen may not be able to do directly the Government will be doing indirectly.

“ Those of the Government Members who have had any experience of district administration will know what the ryot feels about the matter. They have only to be reminded of the past experience of the districts so that they may have sympathetic consideration for the ryot to relieve his distress, and if this is done ere long all may be well. The time is not far remote when the mute ryot, for whom all sympathy is expressed to the ear and broken to the heart, will realize his financial status and then it will be hard for the Government to combat the forces that will be set in motion. All this can be avoided if the distress is alleviated in time. I earnestly remind the Government that ere it is too late the land revenue should be fixed at a fixed ratio and a Bill brought into being. They place the balance at the doors of the Central Government saying that it is with the Central Government that this power rests. It is for this Government to fight this matter out with the Central Government so that the ultimate power to fix the rates may be vested in the Legislative Council. With these few words, I support the motion.”

* The hon. Sir NORMAN MARJORIBANKS :—“ Mr. President, Sir, speakers on this subject this morning have traversed the whole field of land revenue policy and administration and the special question of the weight of the incidence of land revenue. I feel it is difficult to cover the whole ground in any detail. However, it scarcely seems necessary to do that. But I gather the object of this motion is two-fold. One, to urge the enactment of legislation that will give this Government a fixed assessment, and the other, to suggest the lessening of the existing rates.

“ As regards the question of legislation, Sir, Diwan Bahadur M. Krishnan Nayar, I am afraid has misunderstood me. I do not mean that I was surprised that the subject of a settlement Bill should be referred to but that I was surprised that he spoke without any reference to the considerations which I had explained on previous occasions. The proposal that this House should have a mandatory voice in the fixing of the rates of assessment conflicts with the present constitution in which responsibility for the land revenue administration is laid upon the Reserved Half of the Government. If the Reserved Half of the Government is to be responsible, Sir, I do not

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see how it can divest itself of the power of increasing the rates of land revenue. It must be remembered that this Reserved Half is not elected, and it does not have a party behind it in this House."

MR. J. A. SALDANHA :—"What about stamps?"

THE HON. SIR NORMAN MARJORIBANKS :—"I am now talking of land revenue. (Laughter). As I said there is a constitutional difficulty in bringing forward such a provision. The Government of India may have pointed it out but the difficulty is there and I do not see how it is to be met."

MR. G. HARISARVOTTAMA RAO :—"Transfer the whole thing."

* THE HON. SIR NORMAN MARJORIBANKS :—"What the hon. Member now said is a solution of the matter. And it may in time be adopted. But I wish to say this: that it is not a spirit of defiance that prevents this Government taking such action now. The transfer of subjects is not within the powers of this Government. With regard to the various proposals put forward to relieve the weight of land revenue it might be said that it is in the power of this Government to take action. One suggestion is that pattadars paying a land revenue of less than Rs. 10 should be exempted from assessment. I do not understand why a man holding a small patta should be exempted. We have to consider the total amount of revenue paid by each person, whether he holds one patta or many pattas. I do not think it is in accord with the basis of our land revenue system. That basis is that the State is entitled to a share of the produce of the land irrespective of the fact whether it is a small holding or a large holding. In my opinion, to adopt the suggestion put forward, would be entirely to change the basis on which land revenue is levied. Unless we abolish the present system and have a system of agricultural income-tax, I do not think the proposal to exempt small holders can be accepted. But such a change is not one, I think, that is practicable in the present transitional stage of the constitution.

"Then, Sir, reference was made to the heaviness of taxation and to the apparently aimless way in which assessments are increased every thirty years. In all recent years any increase that has been made has been in the main due to the rise of prices, and in no case is the increase as much as the rise in prices.

"I do not know if hon. Members will contend that the assessment should be fixed as so many rupees even though the rupee loses half its value. For, with the fall in the value of the rupee the payments of Government must necessarily increase and as you know, it is mainly because of the fall in that value that we have had so great an increase in expenditure in the last few years.

"Another point was that there have been changes in classification. Such changes have nearly always been in cases where there have been additional irrigation facilities. In recent years there have been very few cases of reclassification.

"Hon. Members from the Godavari and Kistna districts asked what is the Survey and Settlement parties doing, now that the survey was completed. I am not aware that the survey is completed. Surely hon. Members understand that besides measuring lands there is the correction of the registers, the entering of the changes in the description after hearing objections and

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appeals : and that in fact land survey is not so easily finished as hon. Members seem to think. As regards the resettlement report, the Government have published the report for criticism and have yet to decide, whether there should be any increase of rates at all, and if so, how much. The survey and settlement staffs are certainly not engaged in surreptitiously carrying out increases in the rates of assessment.

"Reference was made by certain hon. Members to numerous cesses. I am aware of only two. The only two cesses are the land cess and the education cess collected by the local bodies : Both these cesses were levied with the authority and I presume, have the approval of this House. I don't think there is any unauthorized cess. If hon. Members can give any information about any such illegal cesses, the Government would be very grateful.

"I do not know whether there is any other point on which I can usefully 1 p.m. say anything except generally to sympathise with the holders of land who object to pay any assessment at all : but the payment of taxes is incidental to any civilized life. I cannot find any valid criticism of the policy of the Government beyond the fact that the subject is not a Transferred one, which is a circumstance which no doubt will be remedied in time."

* Mr. S. SATYAMURTI :—"Mr. President, Sir, my hon. Friend the Revenue Member has performed his usual function of replying to this usual cut in the Land Revenue Demand asking for a Land Revenue Bill giving the House the power of fixing the assessment. He has made a bland speech ; but his predecessors used to be on the war path. But now, I find the Treasury Benches when an inconvenient case is presented to them for an answer, give a soft answer in the hope that it will turn away wrath, except of course when their passions are roused as my hon. Friend's were yesterday. But the hon. the Revenue Member has given nothing but soft answers and his answer is so soft that we cannot really pierce through it. We are left exactly where we were. He has given one argument which he gave last year also, viz., that so long as Land Revenue remains a Reserved subject, this House can have no control over the rates of assessment. That is a position which I cannot concede either as a lawyer or as a Member of this House or as a student of the Government of India Act. I shall ask my hon. Friend one simple question. Court fees and Stamps are Reserved subjects ; yet the rates of assessment and the classes of assessment are all fixed by a legislation of this House and the Reserved Departments are working the Court Fees Act and the Stamp Act according as this House decides. It is open to-morrow to this House, by a majority vote, to change the classes of cases in which Stamps and Court fees may be levied and the rates of assessment changed. What is the position in law or under the Government of India Act which is inconsistent with Revenue being a Reserved subject while the rates of assessment are fixed by a vote of this House ? My second argument is this. A distinguished predecessor of his, Sir Muhammad Habib-ul-lah, aided then by the hon. the then Chief Minister, the late Law Member and the late Development Minister, brought forward a Bill giving to this House the right to fix the rates of assessment. Even then, Land Revenue was a Reserved subject. Is it suggested then that that was *ultra vires* of the powers of this House to undertake that piece of legislation ? My next point is this. If Land Revenue is a Reserved subject and this House can have no control over it, because the Government cannot discharge their responsibility to the Secretary of State and Parliament on the one hand and abide by the vote of the House on the

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other, what is the farce of voting on Reserved subjects provided for? Is it suggested that if we cut down the grants with regard to these Reserved departments, the Governor would automatically restore them and that therefore this House can have no control over the administration of the Reserved departments? I think it is a most dangerous proposition which my hon. Friend, the Revenue Member, has sought to lay down. It is up to us to join issue with him on this point. Otherwise what is the meaning of this debate and the vote of the House? Supposing the House carries this motion and a substantial cut is made in the demand, is my hon. Friend absolutely confident that the Governor will restore the amount reduced? I grant that he has got the power under the Government of India Act; but I cannot assume that as a matter of law it is impossible for him to accept the vote of the House and that therefore he should advise His Excellency to restore the amount and that His Excellency would feel himself bound in any sense of that word to restore that grant. I agree that it is an anomalous position being required to be responsible to the Parliament and the Secretary of State and at the same time to accept the vote of this House. But with regard to Reserved subjects, unless His Excellency the Governor is always advised and always accepts the advice to restore the grant or the portion of the grant omitted, the position of the hon. the Revenue Member seems to me to be wholly untenable. Assuming for one moment that the position is right that unless Land Revenue becomes a Transferred subject, we cannot hope for any land revenue legislation of a satisfactory character, may I ask him one other question: why the Government of Madras go on persisting in their resettlements and enhancing the assessments when Land Revenue has not become a Transferred subject and this House has not got control of the assessment?"

The hon. Sir NORMAN MARJORIBANKS:—"Rise in prices."

* Mr. S. SATYAMURTI:—"Assuming that the enhancements in assessments have borne a direct relation only to the rise in prices, a proposition the correctness of which we challenge, who is to be the judge of the rise in prices and whether the proposed enhancement is absolutely necessary and is based only on the alleged rise in prices? We claim that this House ought to be able to pronounce on that question. My hon. Friend says, 'No'. If he is really sympathetic in his attitude to this House,—though he somewhat cynically referred to the fact that this House consisting largely of people who represent the ryotwari landholders—I am not one of them—would naturally ask for the right to fix the rate of assessment being vested in them,—why should not he and his Government stop enhancing the assessments until a satisfactory Land Revenue Bill is placed on the statute book? Moreover, Sir, my hon. Friend speaking on this debate last year—there is a charming uniformity about his speeches on this matter—referred to the order of the Government of India on this subject of introducing a Revenue Settlement Bill containing provisions giving the local Legislative Council the power to fix by means of a Taxation Bill the money rates of assessment both at initial settlements and at resettlements. But even then the Government of India did not discover this strange argument of my hon. Friend the Revenue Member about the inconsistency between Land Revenue being a Reserved subject and the Council being therefore incompetent to deal with the rates of assessment. They simply say:

'The Government of India have expressed their inability to accept the proposal on the ground that it involves a fundamental departure from the practice which has been hitherto observed in Revenue Settlements throughout India, that no similar proposal is contained in

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legislation which either has been introduced or is about to be introduced on the subject in other parts of India and that a careful examination of the language used by the Joint Select Committee shows that their support cannot be claimed for the proposal.

I congratulate my hon. Friend on this ingenious argument, although the Government of India with the advice and help of their legal advisers were not able to discover this. But so far as the report of the Joint Select Committee is concerned, I want to repeat this that the report clearly lays down that this House must have control over the imposition or enhancement of assessments. They considered that the imposition of new burdens should be gradually brought more within the purview of the Legislature. That certainly means—if English means anything at all—that at least enhancements of assessments should be brought within the purview and control of this House. The Joint Select Committee wrote this report as early as 1919. Nearly nine years have elapsed and a Royal Commission has been appointed to report on the state of things brought into existence by that Joint Committee. But like Tennyson's Brook, Commissions may come and Commissions may go, but the bureaucracy will go on in its own way. So long as the bureaucracy in this country does not become responsible, they will find excellent devices for going behind the recommendations of all possible Royal Commissions, giving excuses of one kind or another. I do not want to say more on this subject at this stage, except to point out to the hon. the Revenue Member very respectfully that if ever the long-suffering people of this country come to feel that the British yoke is intolerable and that they must put it aside, it will not be so much by the agitation of agitators like myself, but by the country's sense of hunger which the British Government has provoked but has done nothing to alleviate. Hunger has been throughout the world a potent cause of revolution. Unless the land revenue system is going to be placed on a satisfactory basis, unless something is done to satisfy the hunger of the poor landowner and still poorer ones amongst them, and the poor agricultural labourers, their hunger will be a more potent enemy of this bureaucratic Government than all the agitators on this side or on other sides of the House."

* The hon. Mr. T. E. MOIR :—" Mr. President, Sir, I do not wish to add much to the debate that has taken place to-day. Might I in the first place repudiate any responsibility or credit for certain figures quoted by my hon. Friend Diwan Bahadur Krishnan Nayar? I have had an opportunity of consulting the document from which he quoted."

Diwan Bahadur M. KRISHNAN NAYAR :—" May I offer a word of personal explanation, Sir."

* The hon. the PRESIDENT :—" The hon. Member will be given an opportunity after the speech of the hon. Finance Member."

* The hon. Mr. T. E. MOIR :—" As a matter of fact that document was prepared when I happened to be on leave. The figures were quoted from the Agricultural statistics of the Government of India for which neither I nor this Government are responsible. I simply wish to deny any credit for compiling these figures. And may I say I used those figures not with reference to any comparative question, or on the assumption that there might not be qualifying considerations but on the general aspect of the matter, as indicating that this province as compared with others had done exceedingly well in developing its own resources and that therefore it was most unfair

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to this province that a large share of its resources which it had so carefully developed should be taken away from it, and that out of all proportion to what was taken from other Provinces for the purposes of the Government of India. Now, I do not propose to go into details of revenue settlement or our system of carrying out resettlements, because as a matter of fact we have not heard very much on that aspect of this motion and to whatever was said thereon, the hon. the Revenue Member has already given a reply. But there is the more general question to which my hon. Friend, Mr. Saldanha, devoted most of his speech.

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"He quoted—and to my approval—the dictum that there should be no taxation without representation. Might I say that to one passage in his speech I dissented not with reference to anything he said about the British Parliament as he seemed to think, but with reference to the Roman Empire? As far as I know—my recollection of what I once learnt is perhaps becoming somewhat dim—there was no representative system in the Roman Empire.

Mr. J. A. SALDANHA :—"I said the Roman Republic."

* The hon. Mr. T. E. MOIR :—"Even in the Roman Republic when it extended beyond certain measurable limits there was no representation. My hon. Friend, who is a student of these matters, will remember that Mr. H. G. Wells in a book on history which he produced some time ago laid it down that, in his opinion, the greatest mistake or misfortune that happened to the Roman Empire was that it failed either to discover or to establish the principle of electorates and parliamentary representation. That, however, is by the way.

"The hon. Member, Mr. Saldanha, asseverated his adherence to that principle of parliamentary government. Might I remind him that there are other axioms of parliamentary government to which he might also pay attention? One, might I say, is that the 'King's Government must carry on.' I do not think he accepts that parliamentary dictum. There is another, 'that the authority of Parliament must ultimately prevail.' So far as I know, his conversion to constitutionalism has not yet extended so far as to involve his acceptance of that political principle.

"I think that he was on still weaker ground when he proceeded to bring in a religious argument. I would suggest that was rather an unwise proceeding. Might I remind him of an injunction quotation on that subject from the sources of his religion 'render unto Caesar things that are Caesar's'? I am afraid that the hon. Member has not succeeded either in reconciling his present political practice with his principles or in commending to his community his attitude on the issue we are at present discussing.

"But let us turn to the general question which he has urged. It may be that there is a certain ideal to be worked up to; but we are at present working in these matters and others under a constitution which was framed by Parliament. That constitution it is unnecessary to discuss in detail, but as regards certain matters, it laid down that the time had not yet come for full responsibility and that in certain matters certain safeguards must be introduced. One of those safeguards operated in respect of law and order and another was in respect of land revenue. Why? I suppose mainly because land revenue was one of our principal sources of revenue and Parliament at that time was not prepared to run all risks which a possible transfer of that

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[Mr. T. E. Moir]

very important source of revenue to popular representatives in this House might imply. But while that was the case, it was not a case that all powers were denied to this House. It is perfectly true that a resolution of this House is merely a recommendation to the Government. I would however ask hon. Members whether it is the case that resolutions of this House or debates in this House have no influence even on the subject of land revenue. I can point to a very pertinent matter in which the wishes of this House were given effect to by the Government and that was when the Government stated that in future settlements they would not permit of any increase in the assessment exceeding $18\frac{1}{2}$ per cent; and that was a provision which it was intended to insert in that very Bill which this House preferred to do without, thereby sacrificing all that was given unless one additional thing was also granted.

"Then the hon. the Deputy Leader of the Swarajist Party asked why if it is a case that our demands may be refused or that the Government of India can refuse to give effect to our demands, the budget should be placed before the House at all. I can only suppose that the reason why Parliament, in its discretion, while imposing certain safeguards, made provision on matters such as these was that this House should have ample opportunity to record its opinion, with a view to see whether, judging by the manner in which this House approached these questions, it would, when the next period came round, be justified or not in making that further advance to which the Act under which we stand here to-day looked forward. I cannot say what view the Commission which is now in this country to investigate the steps will take of that question. But one thing is perfectly certain. Among the materials placed before them and on which they will come to a decision as to when and what advance may be made are our debates on land revenue and Land Revenue Bills and the manner in which land revenue should be administered. Therefore, for my part, I do not consider that our debates are wasted. It seems to me that they will throw valuable light on a very important question.

"The hon. the Deputy Leader of the Opposition also asked 'Why do you go on carrying out resettlements and adding to the assessment in this country?' Why not? Are we to treat one district differently from another? Why should we allow Godavari and Kistna preferential treatment as compared with Tanjore? If Godavari and Kistna were allowed to go without resettlement we should be unfair to other districts. So long as we are responsible for the administration of land revenue, to that principle of impartiality we are bound. It is of course open to hon. Members who represent districts which come under resettlement to demur to that principle of impartiality.

"For my part, I hope that more powers such as this House seeks to demand will in course of time be granted to it. But, I would ask the House to remember that land revenue will continue to be the most important source of their revenues. Hon. Members here to-day are in other ways demanding large additional expenditure. I wish that when they do so, they would pay a more careful regard to the question of the sufficiency or adequacy of our revenue to meet those many demands that are not yet included in the estimates before the House."

* Diwan Bahadur M. KRISHNAN NAYAR:—"On a matter of personal explanation, Mr. President; Sir, the document from which I quoted was one out of several documents which my hon. Friend, Mr. Moir, himself handed

[Mr. M. Krishnan Nayar]

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over to me in connexion with the deputation of this Council to His Excellency the Viceroy in the year 1922. The figures I quoted are at page 7 in enclosure III of the document styled 'contribution from Madras to the Central Government'. At the instance of my hon. Friend, I show this document to him to-day and it is from that document that I quoted the figures."

The hon. Mr. T. E. MOIR :—"I merely stated that neither did I prepare those figures nor was I responsible in any sense for their accuracy ; they were taken from a publication that was available."

* Diwan Bahadur P. KESAVA PILLAI :—"May I speak after lunch? Hon. Members are hungry." (Laughter.)

* The hon. the PRESIDENT :—"The House will now adjourn for lunch and meet at 2-30 p.m."

After Lunch (2-30 p.m.).

* Diwan Bahadur P. KESAVA PILLAI :—"Sir, my Friend, Mr. Saldanha, is referring to some Joint Parliamentary Committee. I am not conversant with it. But, Sir, I am conversant with one thing, that is, the state of affairs in our districts. I understood from the hon. Mr. Moir's speeches and from Sir Marjoribanks' that the rates are increased, that the enhancement is based on the rise in prices and on the irrigation facilities provided. Their main point is that Government must get on, and therefore land revenue must be collected. I can understand Mr. Moir, referring to the Tanjore and Godavari districts, where there are irrigation facilities, justifying periodical settlements and enhancements ; but I do not understand how they can have the heart to go on enhancing the settlement rates in our districts, especially where no irrigation projects worth mentioning have been undertaken and carried out, as in Anantapur district, since the advent of the British Rule. Whether the money is collected from the ryots is termed rent or taxation, Government should be concerned about the economic state of the people. As I said once before, there has been once an equitable settlement in Cuddapah district, that is when Mr. Moir was the Settlement Officer. Now he does not see if the settlements are just and equitable. In cases of resettlements, the condition of the people should be considered, not the rise in prices only. They have to consider the capacity of the people. Are they indebted or are they prosperous? Are they in a state to pay these enhancements? Most of these ryots are small landholders. The Government appear to be not very much concerned with their moral and material advancement. The ryots are indeed becoming more and more helpless and are unable to recoup themselves when the Government are so hard upon the ryots, even in the collection of Takkavi loans. They do not as a rule suspend the collection of Takkavi loans in hard times. If the Government are really concerned—they ought to be concerned—civilized Governments are concerned—at least we have had so many declarations—our officers are sympathetic—they should try to feel for and help the ryot ; but they are pursuing a relentless policy laid down somewhere. No doubt, they are giving relief to people in bad years. They are remitting revenue now and then. They are starting famine works. My friend, Mr. Barisarvottama Rao, reminds me that Collectors are always hard and people are sometimes obliged to starve. No doubt, some of the Collectors are very hard but some of them are sympathetic ; but the policy of land revenue

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[Mr. P. Kesava Pillai]

and rack-renting continues to be more or less the same. If they neglect to consider the economic condition of the people, Government will be doing injustice. The result will be disastrous. I am appealing to the good sense of the Government, not to be solely guided by the rules framed by them to levy additional revenue. They are responsible for the moral and material condition of the people. Against one year of plenty, they have got three years of poor crops and some years of famine; and yet the Government do not hesitate to enhance the revenue. No commission can solve our difficulties unless they consider this question of resettlement and look into the condition of the ryotwari population. I have often appealed to my Friends the hon. Mr. Moir and Sir Marjoribanks, and yet they are acting as if they were mere tools of some soulless machinery, and going on enhancing the rates. From the material point of view, I would appeal to the Government not to enhance the rates, not to be harsh at any rate upon the people who are not blessed with irrigation facilities. I have been hearing in this Council expressions of Government concern and sympathy for the ryot. As I have stated so often, all the settlements after Mr. Moir's in Cuddapah, have resulted in enhanced revenue to the State by 15 and 25 per cent and even more. They do not hesitate collecting penalties on Takkavi loans from the poor ryots when they fail to pay yearly instalments.

"The hon. the Revenue Member has promised to consider the question of reducing the rate of interest levied on Takkavi loans, and I would appeal to him to consider the propriety of levying the penalties which are simply ruinous, and pass favourable orders.

"Mr. Satymurti, the hon. Member for the University, ended his speech by saying that the danger of a revolution will not be from educated people, like him, but from a hungry peasantry. The hunger of the peasant and the labourer, and not the Swarajists, is always a potent danger, and every civilized Government should guard itself against it."

* Mr. K. MADHAVAN NAYAR:—"I rise, Sir, only to repudiate one argument of the hon. the Finance Member based upon the impartiality that the bureaucracy evinces towards the various districts of this Presidency. That argument based upon impartiality reminds one of the story of the monkey and the cats where the impartiality of the monkey resulted in the vanishing of the loaf into the stomach of the monkey to the detriment of the cats. That is the sort of impartiality we get at the hands of the bureaucracy in this matter. The Government proceed unjustly without any settlement policy, without any principle regulating them in introducing settlement into one district and after perpetrating one injustice in one district they say that they have to perpetrate the same injustice in other districts also, in the name of impartiality. No argument can be more preposterous than this. The policy that the Government have adopted so far as the revenue settlement of this Presidency is concerned is the worst example of the autocratic Government we are under. The Government concede the principle that the tax-payers' consent ought to be taken before they are assessed. The Legislature in the Province has been uniformly endorsing the principle that there should be a resettlement law before these settlement operations are carried on. People feel that they are heavily assessed and they cry for a settlement law. Yet the Government are proceeding arbitrarily. The Government in theory and the Legislature and

[Mr. K. Madhavan Nayar]

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the people in fact are all agreed on this matter; yet we see the Government doing nothing at all. When we cite in support of our claim the opinion expressed by the Decentralization Commission, we are told we are not correctly interpreting that opinion; when we say that the Council has almost unanimously passed this resolution, they say 'you have not attained that stage of development in representative Government, wherein the opinion of the Legislature can be taken to be the opinion of the people.' When you exclaim that the assessment in the Madras Presidency is exceedingly heavy and that it should undergo some reduction, they say, 'we have already assessed you in some districts and we have to continue the same policy in other districts in the name of impartiality.' This is no argument at all. It is simply callousness and irresponsibility with a vengeance. Let them tell us frankly: 'We are not prepared to pay heed to your opinion. We shall go on irrespective of your opinion, in spite of your opinion.' Then we shall be satisfied and shall keep silent and say no more in this House about this matter."

* Mr. A. KALESWARA RAO :—"Sir, the hon. the Finance Member said that Government were impartial. The impartiality has been exemplified by my Friend, Mr. Madhavan Nayar. I do not want to say anything but that the injustice perpetrated upon several districts should not be perpetrated hereafter upon the other districts also. That is all I say about impartiality. The question is whether it is right or wrong; whether it is right to go on with these ruthless increments of land revenue without the vote of the people's representatives. It is a lawless thing that the bureaucracy is doing in increasing taxation on these poor agriculturists under the name of resettlement. One thing that the hon. the Finance Member said is that the Government must go on. He was refuting some arguments of Mr. Saldanha who reiterated the principle 'No taxation without representation'. It seems to me the same principle ought to be applied here. Sir, the Government must go on; that is the English law. But, Sir, it was the British Parliament that was the first to resist autocracy and to introduce an atmosphere of democratic government in the history of Parliamentary Government.

2-45
p.m.

"And also the second thing he said was that Parliament was the supreme authority. I admit the principle. But I say it is not the Parliament of the alien people but the Parliament of the people who pay taxes that ought to be the supreme authority. That is the principle of representative institutions, of all democracy and of all self-government in any civilized country. Now, Sir, by 18 $\frac{3}{4}$ per cent they want to increase each time by the so-called resettlement. Why should there be increments? That is the question. Is it necessary that in every 30 or 25 years the land revenue or the water tax should be increased? Of course, when you give additional agricultural or irrigational facilities you have a right to take water tax or something else. But, without doing anything, simply because prices have risen, is it right on your part to increase the revenue? That is the question. That is the question at issue behind these settlements. The zamindari ryots seem to be in a more advantageous position in this respect. Under the Estates Land Act they do not pay more to the zamindar unless the zamindar has introduced some irrigational facility or some such thing. Their tenure is fixed and their taxes are fixed, whereas under the so-called benign British Government these people suffer

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more. Once in every 25 or 30 years the tax on the ryotwari pattadar is increased without any reason whatsoever except on the ground of rise in prices. Now, Sir, if the prices have increased, the cost of the living of the ryot has also increased. The prices of all articles, including their clothes, have increased. The cost of labour has increased. The cost of foodstuffs has increased and they have to pay more for labour. The institutions which dispensed cheap justice have all been killed and for each and everything they have to go to courts. The cost of litigation and other things has made the life of the ryots more costly and therefore there is no ground for the increment of tax. Another reason that has been adduced for the resettlement of the Kistna and West Godavari districts is that there has been rise in the prices of lands. Under the British Government the industries of the country have been killed. Cottage industries which have been the supplementary occupation of the agriculturists have all died and therefore all people have turned to the occupation of agriculture and labour. They have become the primary and the only occupations and therefore any little savings that people effect are invested in the purchase of lands. Therefore, owing to the unnatural demand, the prices of land have risen and not owing to natural causes and circumstances. Another reason for these resettlements and the taking of more tax is that the leases which the landlords are getting contain higher rates. But they only apply to the absentee landlords. Secondly, as ryotwari holdings are being subdivided, people have very small holdings under them and the result is that those who want to depend upon agriculture compete among themselves and take leases at high rates. If they get something on which to exist, that is enough for them. The landlords stipulate for higher rates on account of the unnatural bargains. Therefore that cannot be a standard. So, there is no reason whatever for Government to collect more tax than before. There is no proper or reasonable ground. The Government have been following a commercial policy even in the matter of irrigation facilities. In the Ceded districts big tanks constructed by Hindu and Mussalman rulers have all been neglected and allowed to go to ruin and have now taken up the anicuts of Kistna and Godavari. They have realized there all the money and are making profits at 15 to 25 per cent by way of interest. It is only from the anicuts of Kistna and Godavari that they get large profits by spending some money. At first the water tax of Kistna and Godavari was Rs. 3 per acre, then it was raised to Rs. 4 and then to Rs. 5 and it is now proposed to raise it to Rs. 6-4-0. There is no cause except that Government want more money to spend for services Indian and European and allowances and other things. That is what we have been seeing now in the financial report of the Finance Member himself. When we see how Provincial revenues are spent, we see that the expenditure under these heads is increasing to such an extent that Government have been obliged to levy more tax on stamps, registration and court fees. So, that is the way in which Government have been going on and how the poor agriculturists who are the mainstay of the country and who have no other occupation and who are notorious for their indebtedness in spite of their industrious and thrifty habits are taxed. The peasantry does not spend money on luxuries. They are free from the bad habits of drink and are taking one meal a day under this benign Government. Who is responsible for this? The Government is responsible. Under these circumstances, it is really highly immoral to collect more tax, to increase the revenue or the water tax got from these people. So I support the cut."

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Mr. K. R. KARANT :—“ I move that the question be now put.”

The closure motion was put and carried.

The original motion of Mr. Basheer Ahmad Sayeed was put and declared lost. A poll was demanded and the House divided thus—

Ayes.

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| 1. Diwan Bahadur P. Kesava Pillai. | 25. Basheer Ahmad Sayeed Sahib Bahadur. |
| 2. Mr. A. B. Shetti. | 26. Mr. P. Baktavatsulu Nayudu. |
| 3. Mahiud Schamnad Sahib Bahadur. | 27. Sriman Eswanath Das Mahasayo. |
| 4. Mr. R. Nagan Gowda. | 28. Mr. A. Kaleswara Rao. |
| 5. „ C. R. Parthasarathi Ayyangar. | 29. „ R. Srinivasa Ayyangar. |
| 6. „ Ramanath Goenka. | 30. „ L. K. Tulasiram. |
| 7. „ S. Arpudawami Udayar. | 31. „ K. R. Karant. |
| 8. „ A. Ranganatha Mudaliyar. | 32. „ K. Madhavan Nayar. |
| 9. „ Sami Venkatachalam Chetti. | 33. „ C. Venkatarangam Nayudu. |
| 10. „ S. Sathyamurti. | 34. „ S. Muthiah Mudaliyar. |
| 11. „ C. V. Venkataramana Ayyangar. | 35. „ P. Siva Rao. |
| 12. „ T. Adicarayana Chettiayar. | 36. „ C. Gopala Menon. |
| 13. „ P. Anjaneyulu. | 37. Sayeed Ibrahim Sahib Bahadur. |
| 14. „ J. A. Saldanha. | 38. Mr. M. A. Manikkavelu Nayakar. |
| 15. „ G. Harisarvottama Rao. | 39. „ B. Ramachandra Reddi. |
| 16. „ C. N. Muthuranga Mudaliyar. | 40. Sir A. P. Patro. |
| 17. „ K. V. R. Swami. | 41. Diwan Bahadur M. Krishan Nayar. |
| 18. „ Muhammad Meera Ravuttar. | 42. Mr. P. T. Rajan. |
| 19. „ D. Narayana Raju. | 43. „ T. K. Chidambaramanatha Mudaliyar. |
| 20. Dr. B. S. Mallaya. | 44. Diwan Bahadur S. Kumaraswami Reddi-
yar. |
| 21. Mr. C. Maruthavanam Pillai. | 45. Rao Bahadur B. Muniswami Nayudu. |
| 22. „ M. Narayana Rao. | |
| 23. „ A. Parasurama Rao. | |
| 24. „ C. Ramasomayajulu. | |

Noes.

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| 1. The hon. Sir Norman Marjoribanks. | 16. Mr. V. Ch. John. |
| 2. „ Khan Bahadur Muhammad Usman Sahib Bahadur. | 17. Subadar-Major S. A. Nanjappa Bahadur. |
| 3. „ Mr. T. E. Moir. | 18. Mr. Al. Ar. Narayana Chettiayar. |
| 4. „ Mr. A. Y. G. Campbell. | 19. „ N. Siva Raj. |
| 5. Rao Bahadur C. V. Anantakrishna Ayyar. | 20. „ M. V. Gangadhara Siva. |
| 6. Mr. F. B. Evans. | 21. Rao Sahib L. C. Guruswami. |
| 7. „ H. A. Watson. | 22. Mr. V. I. Muniswami Pillai. |
| 8. „ G. T. Boag. | 23. „ S. Subramanya Mooppanar. |
| 9. „ A. Mc.G. O. Tampoe. | 24. „ S. Venkiab. |
| 10. „ S. H. Slater. | 25. „ A. T. Luker. |
| 11. „ C. B. Cotterell. | 26. Rajkumar S. N. Dorai Raja. |
| 12. „ P. J. Gnanavaram Pillai. | 27. Swami A. S. Sahajanandam. |
| 13. „ R. Foulkes. | 28. Mr. R. Srinivasa Ayyangar. |
| 14. „ J. Bheemayya. | 29. Syed Tajudin Sahib Bahadur. |
| 15. „ J. A. Davis. | |

Neutral.

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| 1. The hon. Dr. P. Subbarayan. | 7. Muhammad Khadir Mohidin Sahib Bahadur. |
| 2. Mr. D. Thomas. | 8. Moidoo Sahib Bahadur, T. M. |
| 3. „ K. Krishnan. | 9. Diwan Bahadur A. M. M. Murugappa Chettiayar. |
| 4. „ K. Ramachandra Padayachi. | |
| 5. The Raja of Panagal. | |
| 6. Diwan Bahadur P. C. Ethirajulu Nayudu. | |

* The hon. the PRESIDENT :—“ Hon. Members are requested not to take their seats before their names are called. It causes inconvenience to the Secretary.

Ayes 45. Noes 29. Neutral 9.

The motion was carried.

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* Mr. C. V. VENKATARAMANA AYYANGAR :—“ I move

3 p.m.

‘ to reduce the allotment of Rs. 89,400 for Board of Revenue by Rs. 100 ’.

“ This is also, Sir, one of the annual farces, and we are asked as to why we should go through this farce of moving resolutions here, getting them passed and then His Excellency coming down saying ‘ I certify it ’, or going further and saying ‘ We will allow this 100 rupees cut to remain there but we don’t care because the Revenue Board can go on with this reduction of Rs. 100 ; or they accept the reduction, as was done in another case, keep quiet for 365 days and then come with a supplementary grant for practically the same amount. Therefore this is nothing but a farce and most of what we do is nothing but a farce and there is no reason why we should take part in this farce to-day. I have not made the calculation as to the exact number of occasions on which this resolution that we do not want the Board of Revenue has been carried in this House by large majorities, sometimes by token motion, sometimes a motion for the whole demand to be taken away, and yet the Government are firm and say that this Board of Revenue is necessary. I have no doubt, Sir, that the hon. the Revenue Member will repeat the same old argument that the Board of Revenue is necessary. One stock argument will be that the Board of Revenue is referred to in several enactments as appellate authority, and therefore if the Board of Revenue were abolished there should be some other functionary to do the work under the Acts. To that we can easily say that there is a very large number of white elephants receiving very large salaries and they can very well deal with this work, and there may be one common Act saying that the functions of the Revenue Board under any Act either of the Government of India or the Government of Madras shall be performed by a particular white elephant. One other stock argument I expect to-day is that in other provinces where there is no Board of Revenue there are commissioners corresponding to the Board of Revenue here. For that, all I can say is that even in other provinces the Councils have resolved upon the services of the commissioners being dispensed with. Therefore, there is no use in saying that this large costly establishment of Board of Revenue is necessary. There are several other reasons as to why, if you really want retrenchment, this Board of Revenue should be sent away. I do not want, as we are especially anxious to move various other cuts, to repeat the various arguments which would be available in the previous debates of this House. All I want to say is that to-day our motion is for a very small cut of Rs. 100, whereas in some previous years our resolution was to remove the whole grant. I can only make an appeal to the hon. the Revenue Member and through him to the Cabinet and if possible to His Excellency also in these days when so much is said of respecting the opinions of the people in view of the proposed change in the Government of India Act (a reference was made to it even to-day that we are functioning now in a period of transition) if there is any truth in that statement of the bureaucracy that they are going to respect the wishes of the people in any matter, here is one where they can easily respect our feelings by abolishing the Board of Revenue. This is just a test to see whether what they say is a lip word or something coming deeper from the heart. With these few words I formally move this proposition.”

Mr. C. N. MUTHURANGAM MUDALIYAR :—“ I beg to second this ”.

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* The hon. the PRESIDENT :—" I think in the matter of debate I may suggest to the hon. Members of the House that it will be better if really they want any replies to their criticisms from the Members of the Treasury Bench they should express their criticisms before hand. After the Members on the Treasury Bench have given their replies, if any other points are raised, as has been done by Mr. Kaleswara Rao in a previous debate, the points have to go unanswered and I do not think it is to the profit of the House. The hon. the Revenue Member has said he has no following in this House to get up and give replies. That is the only suggestion from me." (A voice: "What about Secretaries.")

* Mr. J. A. SALDANHA :—" Mr. President, Sir, the motion under which we propose a cut of Rs. 100 is one which concerns the liberty of the people. The Board itself is a citadel of the bureaucracy and occupies the position equivalent to that of Parliament in respect of land revenue. The rule of absolutism prevails in that Board in the matter of the fixing of land revenue. If the real spirit of the old Reforms Act is to be given effect to, this Board must go, because the spirit of the Reforms Act has been much more liberally interpreted than, as my hon. Friend Mr. Moir would put it, by the Joint Parliamentary Committee. I remarked in a speech this morning that the Finance Member had entirely overlooked the recommendation of the Parliamentary Committee, as was too often overlooked by other friends on the Treasury Bench."

The hon. Mr. T. E. MOIR :—" May I ask the hon. Member if the Joint Parliamentary Committee recommended the Board of Revenue to be abolished."

* Mr. J. A. SALDANHA :—" It has recommended that it is this House that should pitch the rate of assessment and so on. As a matter of fact, the Board of Revenue settles everything about rates of assessment, etc. It is in fact one of the Members of the Board that is the supreme head of the Settlement department, and he comes only for the formal sanction of Government. It is this citadel that I want to attack. If this House is to settle the rate and pitch of assessment, we need no Board of Revenue for that purpose. I will read a passage and from that it will be very clear that if the policy recommended by the Joint Parliamentary Committee be carried, we would not have the Board of Revenue and the waste of three crores on costly appointments. The passage is this: "At present, the statutory basis of charging revenue on land varies in different provinces, but in some at least, i.e., Madras, the pitch of assessment is entirely at the discretion of the executive Government (that is, the Revenue Board here), and no branch of the administration is regulated with greater elaboration or care (I must give credit for this to the Board of Revenue). But the people who are most affected have no voice in the shaping of the system and the rules are often obscure and imperfectly understood by those who pay land revenue."

* The hon. the PRESIDENT :—" The hon. Member would have been more in order to have quoted this passage in his previous speech." (Laughter.)

* Mr. J. A. SALDANHA :—" It was repeated on a previous occasion by the hon. the President in his very able speech as a member of this Council."

* The hon. the PRESIDENT :—" Is it the case of the hon. Member that the President as a member of the Council referred to it on an irrelevant occasion? This is not the proper occasion."

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* Mr. J. A. SALDANHA :—" I referred to it only because . . . "

* The hon. the PRESIDENT :—" I will suggest to the hon. Member to pass on to the next point."

* Mr. J. A. SALDANHA :—" The Board of Revenue does the work which this Council ought to do and ought to have done. There is no use in saying that Parliament has finally to decide this question. Parliament has left it—at least the Parliamentary Committee has left it—to the Councils. Now the Board of Revenue cooks up all the material and sends it up for being a little flavoured to the Secretariat. I hope this repeated demand made by all sections of the House will be given effect to. When the special officers are going to send their reports to the Royal Commission, this demand, which has been repeated year after year for several years, will be put in proper light before them if at all it is worthy of their advice."

* The hon. Sir NORMAN MARJORIBANKS :—" Sir, the Mover of this motion was good enough to supply me in advance with arguments against his motion which of course he proceeded to demolish. I am not very grateful to him, for I do not think his arguments are very good ones. It is not the fact that the Board of Revenue is mentioned in enactments that is the reason for maintaining the Board, or rather if that was the only reason they might be replaced by a better agency. As for the seconder, his argument was the most curious I have heard advanced yet in support of the abolition of the Board of Revenue. If this House fixes the rate of assessment, he said, you need no Board of Revenue. But how does he propose to prepare the material for this House? He surely does not suppose that fixing the rates of assessment constitutes the whole work of the Revenue Board. It would be a very simple and easy job if all the Board of Revenue had to do was to sit once perhaps every two years and fix certain rates of assessment. The truth of course is that the Board of Revenue is entrusted with the supervision over the whole of the Land Revenue administration which is of a very varied nature. I think that the Members of this House are well aware of this. I do not know whether it would interest Mr. Saldanha, since he is so interested in things in Bombay, to know that the Bombay Retrenchment Committee recommended that the Commissioners in the Presidency should sit only at the headquarters and distribute the work among themselves on a subject basis. If that recommendation were adopted, the Commissioners would be replaced by a Board of Revenue. It may perhaps interest Mr. Saldanha that in the Presidency which he has often been holding up to us as a model, the Retrenchment Committee has recommended the Madras plan. But to turn to our Board of Revenue, the subject was discussed exhaustively by a committee which was appointed by the Government in 1921 and I can only refer the House to the report of that Committee. Since that time no argument has ever been raised that I know of, seriously challenging the grounds of that Committee's report."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Has that report been accepted by the Government? "

* The hon. Sir NORMAN MARJORIBANKS :—" I could not say that all parts of it were adopted, but I am sure that no part of it suggested the abolition of the Board of Revenue. The strength has been reduced practically to two members, for the third member is only the Excise Member and is only technically part of the Board of Revenue. The existing work of the Board of

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[Sir Norman Marjoribanks]

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Revenue proper is divided between the two members. Reduction has been carried to its limits. There remains the argument of the repeated desire of this House. The desire of this House has not been repeated quite so often as in the last year or two. I understand that earlier, that is, two or three years back, there was a very strong feeling against the Board, but that was not based on the ground that there were more members than necessary or that the Board itself was unnecessary for the work, but on the ground that the manner in which representations were dealt with and replies given had produced a good deal of friction and feeling against the Board. I do not think there has been anything in that direction to complain of recently and, as I have said, I have not been able to perceive that anybody to-day has brought any valid argument in favour of the motion."

The motion was put to the House and declared carried.

The hon. Sir Norman Marjoribanks demanded a poll and the House divided as follows:—

Ayes.

- | | |
|--------------------------------------|---|
| 1. Mr. C. R. Parthasarathi Ayyangar. | 22. Basheer Ahmad Sayeed Sahib Bahadur. |
| 2. " Chayadi K. Subrahmanya Pillai. | 23. Mr. P. Bhaktavatsulu Nayudu. |
| 3. The Zamindar of Gollapalli. | 24. Sriman Biswanath Das Matasayo. |
| 4. Mr. A. Ranganatha Mudaliyar. | 25. Mr. A. Kaleswara Rao. |
| 5. " Sami Venkatachalam Chetti. | 26. " R. Srinivasa Ayyangar. |
| 6. " C. V. Venkatasama Ayyangar. | 27. " L. K. Tulasiaram. |
| 7. " T. Adinarayana Chettiyar. | 28. " K. R. Karant. |
| 8. " P. Anjaneyulu. | 29. " K. Madhavan Nayar. |
| 9. " J. A. Saldanha. | 30. " S. Muthiah Mudaliyar. |
| 10. " C. S. Govindaraja Mudaliyar. | 31. " P. Siva Rao. |
| 11. " G. Harisarvottama Rao. | 32. " C. Gopala Menon. |
| 12. " C. N. Muthuranga Mudaliyar. | 33. " M. A. Manikkavelu Nayakar. |
| 13. Abdul Hamid Khan Sahib Bahadur. | 34. Diwan Bahadur M. Krishnan Nayar. |
| 14. Mr. K. V. R. Swami. | 35. P. C. Ethirajulu Nayudu. |
| 15. " Muhammad Meera Ravuttar. | 36. Mr. P. T. Rajan. |
| 16. " D. Narayana Raju. | 37. " T. K. Chidambaranatha Mudaliyar. |
| 17. Dr. B. S. Mallayya. | 38. Diwan Bahadur S. Kumaraswami Reddi-
yar. |
| 18. Mr. C. Maredevanam Pillai. | 39. Rao Bahadur B. Maniswami Nayudu. |
| 19. " M. Narayana Rao. | 40. " K. Sitarama Reddi. |
| 20. " A. Parasurama Rao Pantulu. | |
| 21. " C. Ramasamayajulu. | |

Noes.

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|---|--|
| 1. The hon. Sir Norman Marjoribanks. | 20. Subadar-Major S. A. Nanjappa Bahadur. |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 21. Mr. N. Siva Raj. |
| 3. " Mr. T. E. Moir. | 22. " M. V. Gangadara Siva. |
| 4. " Mr. A. Y. G. Campbell. | 23. Rao Sahib L. C. Guruswami. |
| 5. Dr. (Mrs.) Muthulakshmi Reddi. | 24. Mr. V. I. Muniswami Pillai. |
| 6. Rao Bahadur C. V. Ananthakrishna Ayyar. | 25. " P. W. A. Soundarapantia Nadar. |
| 7. Mr. F. B. Evans. | 26. " S. Subrahmanya Moopanar. |
| 8. " H. A. Watson. | 27. " D. Thomas. |
| 9. " G. T. Boag. | 28. " K. Krishnan. |
| 10. " A. McG. C. Tampos. | 29. Rajkumar S. N. Dorai Raja. |
| 11. " S. H. Slater. | 30. Mr. S. Arpadaswami Udayar. |
| 12. " C. B. Cotterell. | 31. " K. Ramachandra Padayachi. |
| 13. " P. J. Gnanavaram Pillai. | 32. Swami A. S. Sahajanandam. |
| 14. " R. Foulkes. | 33. Rao Sahib R. Srinivasan. |
| 15. The Zamindar of Seithur. | 34. Syed Tajuddin Sahib Bahadur. |
| 16. Mr. A. B. Shetty. | 35. Khan Bahadur S. K. Abdul Razack Sahib Bahadur. |
| 17. " J. Bheemayya. | 36. Muhammad Khadir Mohidin Sahib Bahadur. |
| 18. " J. A. Davis. | 37. T. M. Moidoo Sahib Bahadur. |
| 19. " V. Ch. John. | |

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Neutral.

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| 1. Diwan Bahadur P. Kesava Pillai. | 6. The Raja of Panagal. |
| 2. Mr. R. Nagan Gowda. | 7. Rao Bahadur Sir A. P. Patro. |
| 3. " S. Venkiah. | 8. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 4. Kumara Raja of Venkatagiri. | 9. The Zamindar of Mirzapuram. |
| 5. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. | |

Ayes 40. Noes 37. Neutral 9.

The motion was carried.

* Mr. C. V. VENKATARAMANA AYYANGAR:—"I formally move
'to reduce the allotment of Rs. 1,93,10,900 for General Administration—District Administration by Rs. 100'

(To record the disapproval of the policy of Government in keeping judicial and executive functions combined in spite of the incessant demand that they shall be separated.)

"Sir, I do not want to speak much on this, because this is also one of the questions on which we have several times passed resolutions in this House and what is more the Government also have more than once practically supported our motions. This is as old as this Council. The Government generally try to close our mouths by appointing committees and on my resolution a committee was appointed on this motion also of which the president was a high Government officer and it made a practically unanimous report. So far as this matter is concerned, the report said that the two functions should be separated and now we are told that the Government of India and the Secretary of State have this subject still in their own hands. We are very glad to know that the Secretary of State repeated, according to the papers, the same statements a few days ago which he said nine months ago and the Government of India recently said that the matter was still under consideration. We have been always asking the Government to tell us what this Government's recommendation was on this matter and as to whether there has been any subsequent correspondence between them and the Government of India and they often say that the correspondence is confidential. Certainly I think, this House should be taken into their confidence at least now and let us know at what stage the matter is and whether any further correspondence has taken place between the Secretary of State and the Government of India. I therefore wish to record our disapproval of the policy of Government in this matter and we appeal to this House again to carry this motion."

Mr. G. HARISARVOTTAMA RAO:—"I second the motion, Sir."

* Mr. R. SRINIVASA AYYANGAR:—"Mr. President, Sir, by means of this resolution we want to reaffirm our opinion once again on the floor of this House that we are very anxious that there should be a separation of the judicial and executive functions. Oftentimes we have heard from the Government of India that this matter has been engaging their attention. Apparently it would go on till Doomsday or even till the Greek Kalends. No one denies that the combination of the two functions in one and the same officer is an evil of very great magnitude. But so far nothing has been done. No doubt so far as this Government is concerned, its attitude does not appear to be quite unsympathetic or unsatisfactory. With a view

[Mr. R. Srinivasa Ayyangar] [14th March 1928]

to strengthen the hands of this Government and to enable the Government to put up a fight, we think it necessary to table this resolution and give our expression to emphatic views on the question."

* Mr. BASHEER AHMAD SAYEED :—"Sir, I want to know from the Government at this stage what exactly has been the action and their attitude towards this question which has been raised from year to year in this House and also outside this House. There is no use, Sir, in giving us the same old replies. This is a problem which is keenly felt by the rate-payers outside this House as well as their representatives within, and it is but fair that the Government should give us definite information as to what action has been taken on this suggestion and on this request of the representatives of the people. There is great havoc played by officers combining the executive and the judicial functions in them and this has to be put an end to and we want to know what are the honest intentions of this Government in this matter."

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P.m.

* The hon. Mr. A. Y. G. CAMPBELL :—"Mr. President, Sir,—This matter has been constantly debated in this House before now as has already been mentioned and was raised the other day in the general debate upon the budget when it was presented by the hon. the Finance Member. The then Law Member made a statement in this House as to the present position. The House is well aware that we have made a report to the Government of India and that the matter is still under consideration of that Government and until we receive the orders of the Government of India we are unable to do any further in connexion with this matter."

Mr. BASHEER AHMAD SAYEED :—"When was the report made, please?"

* The hon. Mr. A. Y. G. CAMPBELL :—"I have not got the exact date when it was made. It was some time ago."

Mr. BASHEER AHMAD SAYEED :—"How long ago?"

Mr. SAMI VENKATACHALAM CHETTI :—"Several years ago?"

* The hon. Mr. A. Y. G. CAMPBELL :—"I think it was some two or three years ago."

"As has been pointed out, Sir, this is a matter in which we are bound to abide by the orders of the Government of India if they give us any instructions in the matter, as it is a reserved subject. But, we are not in a position to communicate to this House the recommendations of this Government to the Government of India until we have permission from the Government of India to do so."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Has it been applied for?"

* The hon. Mr. A. Y. G. CAMPBELL :—"We should not be permitted to communicate to the public our recommendations until they had been considered by the Secretary of State as well. As I believe the matter has been referred to him, it could not be of much use if we applied for permission at the present stage."

"It may be of some interest to hon. Members of his House if I mention one or two facts to show what policy has been followed by the Government in the last few years in this respect. The Criminal Courts in this Presidency fall under certain categories and for this purpose I do not think we need

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[Mr. A. Y. G. Campbell]

take into consideration the High Court, the Sessions Court or the Presidency Magistrates' Courts. The remarks regarding the desirability of the separation of the executive and judicial functions refer to the other criminal courts of this Presidency, especially those of the District Magistrate and the Divisional and the Subdivisional Magistrates and the Taluk Magistrates.

"Now, I have compared the cases tried by these other courts during the years 1922 and 1926, the latest year for which we have statistics. I find in 1922, there were tried in all these courts, viz., the District Magistrates' Courts, the Subdivisional Magistrates' Courts, the Sub-Magistrates' Courts, the special Magistrates' Courts, Bench Magistrates' Courts, the Panchayat Courts and by the Village Magistrates, a total number of 207,163 in 1922, while the total number of cases tried in 1926 was 253,692—an increase of 45,526 or nearly 22 per cent is thus seen. Now, taking together the District Magistrates' and the Subdivisional Magistrates' Courts, the number of cases tried fell from 9,051 to 8,675 in 1926. The number of cases tried by the stipendiary Sub-Magistrates (including both Stationary Sub-Magistrates and Taluk Magistrates) has risen from 99,636 to 103,645, or there is an increase of about 4 per cent. There has been a fall in those tried by Special Magistrates who are, I believe, generally either officials not of the Revenue Department—Sub-Registrars and so on—from 5,558 to 2,946. The number of cases in Village Magistrates' Courts has fallen from 6,304 to 4,260. Now when we come to the Bench Courts, we find there has been an increase in the number of cases tried from 83,764 to 99,589 or nearly 18 per cent. In the Panchayat Courts, the cases tried have increased still more remarkably from 2,823 to 33,577, or nearly 12 times. Taking together the Bench Magistrates' and the Panchayat Courts, we find an increase from 86,587 to 133,166, that is to say, the increase in these classes of courts is somewhat larger than the total increase in the number of cases tried in the Magisterial Courts in the whole of the mufassal. These courts tried more than half such cases in 1926, I think, Sir, that this is sufficient to show that the policy of Government during the past four years 1922—1926 has been to meet as far as possible the desire expressed in this House that there should be a separation of the judicial and the executive functions (Hear, hear), in the manner which it has been possible for this Government to adopt, that is to say, by increasing the number of these courts and by increasing the powers of the Bench and Panchayat Courts. I hope, Sir, that this House will not pass this motion as it may be regarded as a censure on the policy of the Government which has been adopted during the past few years. I submit that the Government have done all they can under the circumstances."

Sriman BISWANATH DAS Mahasaya:—"Sir, I thank my hon. Friend the Law Member for the whitewashing speech peculiar to the steel frame he has just delivered on the floor of this House. All that the motion wanted was the transfer of the control from the executive to the judiciary, i.e., the High Court. My hon. Friend does not speak a word about this very important question, but goes on to say that the number of cases tried by the Stationary Sub-Magistrates has increased. We have nothing to do with that. The Stationary Magistrates are controlled by the District Magistrates and they are subordinate not only to the District Magistrates but also to the Divisional Magistrates and the Tahsildars. Therefore, Sir, there is no reason in quoting these figures."

The hon. Mr. A. Y. G. CAMPBELL:—"I have not spoken, Sir, of the District Magistrates controlling the Sub-Magistrates or others."

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Sriman BISWANATH DAS Mahasaya :—" I take his correction, Sir, though I do not admit it. I know in my district the Sarishtadar-Magistrates are subordinate to the Tahsildar and Subdivisional Magistrates. So, even taking the correction, my point whether you should transfer the control of the Magistrates from the executive to the High Court remains unanswered. That is the important question at issue. Without speaking a word on that important question, the hon. the new Law Member goes on justifying the position of the Government when there is nothing to be justified. I think it is better for my friend to say, 'We do not care for you or for the recommendations of the Committee.' That would be more frank. I think these are times when honesty and frankness are needed more in politics. To say 'Government of India stood in our way' is to point to people who are not responsible to this House. With these few words, Sir, I strongly support the motion and I appeal to the various sections of the House to support the motion."

Mr. P. SIVA RAO :—" Mr. President, Sir, I have heard the hon. the Law Member. There is evidently a misconception as to what really is meant by separation of the judicial from the executive functions. Evidently, the hon. Member seems to think that by the multiplication of some Stationary Sub-Magistrates or by the appointment of the Special Magistrates of the first class solely devoted to criminal work, or by the organization of Judicial Panchayats, he has satisfied the aspirations of the House towards the separation of the executive from the judicial functions. The essence of the whole scheme is that the Magistracy in the district should cease to be subordinate to the District Magistrate and the Subordinate Magistrates should be made subordinate only to the highest judiciary in the district and it also necessarily involves that the recruitment of this Magistracy should be altered. What we have been contending for is that these Magistrates should be recruited separately if possible out of the members of the bar and that they should not be made subordinate to the District Magistrates. So long as this reform is not carried out, I do not think that the hon. the Law Member can satisfy the House by quoting instances of some Judicial Panchayats. After all, the small modicum of reform which this Government take credit for having achieved in the course of a century, is one which, I do not think, can meet the purpose that we have in view. That is the essence of the scheme we want and I do not think that the reforms he has introduced so far touched even the veriest fringe of the reforms that we wanted."

* Diwan Bahadur P. KESAVA PILLAI :—" May I say one word, Sir ? I think Mr. Siva Rao means, when he says that Sub-Magistrates should not be subordinates to the District Magistrates, that they should not be the subordinates of the District Collector. It ought to be so, because even now the Stationary Sub-Magistrates are subordinate to the District Collector. Well, Mr. President, the reform may come or may not come, but may I ask the Government for a favour not to invest sarishtadars with magisterial powers. Now sarishtadars in the taluks where there are no Stationary Sub-Magistrates are exercising even the powers of second class magistrates. Whenever there are Tahsildars there are Taluk Magistrates and Sarishtadar-Magistrates; some having powers to punish people up to six months and 200 rupees fine. Sarishtadars are paid low, and they are heavily worked. They are liable to be tempted or to be influenced by fear. I know there are exceptions always. It is regrettable that the Government cannot and will

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[Mr. P. Kesava Pillai]

not understand this. I believe whatever might be done hereafter for the separation of the judicial from executive functions, let me appeal to the hon. Member to see that no Sarishtadar is hereafter invested with the magisterial powers. Will I be appealing successfully to the hon. the Law Member in this respect ?”

* The hon. the PRESIDENT :—“ I take that the House is ready for a vote on this question. The question is :

*‘ To reduce the allotment of Rs. 1,93,10,900 for General Administration
—District Administration by Rs. 100 ’.”*

The motion was put to the House and carried.

* Mr. N. SIVA RAJ :—“ Sir, I beg to move

‘ that the allotment of Rs. 53,200 for Charges of Administration be reduced by Rs. 100.’

“ Sir, I move this with a view to draw the attention of the Government to the poor representation of the depressed classes in the services. Year in, year out, the representatives of our community have been making these requests in this House with, I think, no fruitful results. The Government invariably gave the reply that the Government was in sympathy with the demands of the members of our community and that if proper and qualified men are available for the various services from the members of our community, they would have no objection whatever to take them in, and that, on the other hand, they will prefer such persons to others to be appointed in the various services.

“ We find, Sir, from the facts and figures—let me also say that the 3-45 facts and figures so far as the depressed class are concerned are practically p.m. nil—contained in the various Government reports that there is no ground for the inference that the Government have been really acting in this matter according to the wishes of the representatives here. Probably, Sir, it is probably due to the fact that they are sure of the support of the members of our community on their side on almost every question in this House (laughter) ; but I am anxious and I am very keen in my anxiety, to bring this point to the attention of the Government. The days are gone perhaps never to return ; and unless there is a liberal and satisfactory response on the part of the Government, when it may be said the the members of our community, at any rate in this House, will act likewise, we feel, Sir, that we have to learn the art of sitting in Opposition to and attacking the Government in season and out of season to see that the Government take in at least some of our community men or kinsmen in all the various offices. After all it is the Government jobs that can do a very great deal in the matter of the upliftment of the various communities. I think I need not reiterate or repeat what is very well known to the hon. Members of this House that in this part of the country, at any rate, we find that people who are really powerful, who are really influential and who really can achieve any good for the members of their communities, are just those who are able to get some of the important jobs both in the head offices here in Madras and in the district offices. So, I appeal, Sir, that the Government should really devote their sincerest attention to this question. There is another argument, Sir, that is brought forward against the candidates of the depressed classes. Whenever we ask the question as to why there is not

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sufficient representation of the depressed classes in the various services, the Government say that they are not efficient. Let me tell them, Sir, that if the depressed classes candidates are not efficient, it is due to the neglect on the part of the Government. (Hear, hear.) We know, and I suppose even to-day it is true, that the British Government and the Britisher are famous for their idea of fairplay; but in this country, I think, so far as we are concerned, they seem to have forgotten that idea completely (hear, hear), and they have left the caste people and the capitalists to ride rough-shod over us in every matter. (Hear, hear.) For instance, in the matter of efficiency, I may tell them that unless they give us fair opportunities for making ourselves efficient, the Government have no right to confront us with this argument of inefficiency, whenever we try for jobs. We must be given equal opportunities to make ourselves efficient, before they can be in a position to say that we are inefficient. As a matter of fact, we find that we are not given any opportunities, and even if any opportunities exist in theory—of course, we must be thankful to the Britishers at least for the theory—in practice we find that we cannot avail ourselves of such opportunities. If we are inefficient to-day, it is not our fault. One thing, however, is certain, Sir, and we must thank God for that, that brain and intellect are not the monopoly of any one community. Given the opportunities, we are sure that we will rise to some of the highest offices in the State and that we are capable of discharging any duties that we might be asked to discharge in respect of those offices. Therefore, Sir, I move my token motion to reduce the allotment of Rs. 53,200 for Charges of Administration by Rs. 100.”

* Mr. L. K. TULASIRAM:—“Mr. President, Sir, I rise to second this motion brought by my hon. Friend Mr. Siva Raj. No doubt, the party sometimes deserts us at critical times; but still, to show that we, members of the Opposition, are always their supporters in season and out of season (hear, hear), I rise to speak on this occasion. Sir, I have been analysing the reports of the officers and clerks employed in the public services of the Government every year, and I know, Sir, that out of 865 gazetted officers, there are only two gazetted officers representing the depressed classes. Sir, it is really a charge which should be laid at the door of the Government and not at the door of the Opposition or of the Members of the Swarajist Party. Sir, it has been represented by Mr. Siva Raj that they are not wanting in brain or in efficiency. The greatest law-giver, the greatest codifier, the greatest man who wrote the greatest work in Tamil literature, is Tiruvalluvar Nayanar, a member of the Adi-Dravida community. Sir, when such is the fact, I, as an ardent student of Tamil literature, would not deny them the right that they claim. If brains are wanted, I say brains are in the community. It is only the British Raj that has not been giving them the hand of help. (Hear, hear.) Sir, before the claims of other communities are recognized, it is very necessary in the interests of communal justice, in the interests of fairplay and in the interests of judicious administration, that members of the depressed classes should be shown all preference. Before the members of other communities are appointed, they should be appointed. Sir, sometimes the members of the depressed classes think that by siding with the Government, they may gain their end. I want them to forget that. I say that if they throw in their lot with the common-folk, I mean with the real politicians who are entrusted with the welfare of the country, they would gain their end in a double measure. I therefore have the greatest pleasure

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[Mr. L. K. Tulasi Ram]

in seconding the motion which has been so ably moved by my hon. Friend, Mr. N. Siva Raj."

* Mr. M. A. MANIKKAVELU NAYAKAR :—" Sir, I wish to associate myself with the claims put forward on behalf of the depressed classes by my hon. Friend Mr. Siva Raj and my Friend Mr. Tulasiram. I also wish to point out that there are other backward classes, who are also very poorly represented in the services, and in fact, they need greater encouragement; because the depressed classes at least have the nursing hand of Mr. Slater, but the backward classes do not possess such advantages, and they therefore require special encouragement. The position of the backward classes is something like being between the devil and the deep sea. The backward classes do not belong to the depressed classes and therefore they do not have the protection of the Labour Commissioner. On the other hand, the backward classes do not get the sympathy of the so-called higher classes. As a matter of fact, their position is really very miserable, and so in giving representation to the various communities, particular attention should be paid by the Government to the proper encouragement of the backward classes. It used to be said that there is a dearth of qualified candidates either from the backward classes or from the depressed classes. But now, the supply seems to be far greater than the demand. So, that argument does not hold good at present. I have also given notice of a different motion on the subject of the representation of the backward classes; but I do not propose to move it and therefore associate myself with the remarks already made on this motion."

* Mr. P. BHAKTAVATSULU NAYUDU :—" Mr President, I am very glad to support this motion, and I am also equally glad to find my Friend, Mr. Siva Raj at least once in a way understanding the real motives of the Government and their fair play and their foul play. During the time of the discussion on the Simon Commission, the hon. Mr. Slater shed crocodile tears, as Labour Commissioner, on behalf of the depressed classes, and now Mr. Siva Raj has given a revelation to the Council and said that the Government have not at all been treating them fairly. Sir, it is quite true, very true and highly true. No doubt, Government pitch upon one depressed class man here and there in order to placate that community and to serve their own purposes. The general policy of the Government has not at all been for the upliftment of that community for the past 200 years of British rule in this country. Only a few years back when the Congress demanded, from the various platforms, that the depressed classes should also be given their share, that the Labour Commissioner came into existence. These depressed classes thought that by voting with the Government in season and out of season they could get something from the Government instead of from their own brethren of the other communities, their own Indian brethren. They are there making a serious mistake, and if at all any one could come to their rescue, it is their own Indian brethren who have now realized that they have done a serious mistake in calling them depressed classes and in treating them as untouchables. Those days have gone and now people everywhere realize, all parties now realize, that their prosperity lies on par and in line with the elevation of the depressed classes. So, I think it is time for us to realize that the depressed classes also have to share the same conditions with their co-brothers, and the so-called depressed classes—who should feel ashamed to call themselves 'depressed classes'—should now realize that the Government ought

[P. Bhaktavatsulu Nayudu] [14th March 1928]

not to be allowed to play with them like this. Even in selecting men from among the depressed classes, the Government should not placate them for their own purposes, but should select the candidates by pure competition among themselves, and give the posts to really qualified persons. It is also incumbent on the so-called depressed classes that they should educate themselves and make themselves qualified to enable them to aspire for such posts, instead of throwing the blame on this party or that party or on the Government. With these few remarks, Sir, I strongly support this motion."

* Mr. V. I. MUNISWAMI PILLAI :—"As one coming from the mufussal I should like to support this motion now before the House. Mr. Siva Raj coming from this city has very properly laid much stress on the necessity for the due representation of the depressed classes in the various public services. Sir, the number of educationally qualified people from the depressed class is very small and even the very few that get into the ladder of the administration in the various districts are very badly treated by the mouthpiece of the Government. I may say that some of the depressed class members employed in the Government service in Malabar and Coimbatore had to leave the appointments due to social oppressions leaving all those dependent on them to starve. I say, Sir, that in all the offices, the important officials happen to be our caste brethren who, for various reasons, socially oppress the depressed class members getting into the services and are even denied the privilege of taking their meals in the very tiffin room in which the others take their meals."

4 p.m. "I know of instances where some of the members of this community who had the opportunity to serve under Government were denied this privilege and as a result of this they had to go away from the services; and it is up to the Government to see that members of the depressed classes who are chosen and elected to serve in the Government services are protected and safeguarded. Unless this Government comes to our rescue there is no possibility of our members continuing in the services. My hon. Friend Mr. Tulasiram has been very kind to say something about the depressed classes. But I may say it is due to the social oppression of the caste people that are at the top of the ladder that are responsible for not allowing members of our community to get into the services. If they really want to support the depressed classes I must say there must be a change of mentality in them. My hon. Friend Mr. Bhaktavatsulu Nayudu who just spoke cast a sweeping remark said that the members chosen to represent the depressed classes are not the real representatives to represent their community. Hon. Members sitting in this side of the House representing the depressed classes have been chosen by various associations of theirs and from various districts. And I may say to my hon. Members that we command the confidence of the associations and our people in the various districts. With these few words I heartily support the motion moved by my hon. Friend Mr. Siva Raj."

* Mr. R. NAGAN GOWDA :—"Mr. President, Sir, I have to make one or two points in this connexion. One aspect of this question which must be remembered in the making of appointments of the depressed classes men in the Revenue department is this. There are a number of appointments requiring executive work, mainly out-door work, and the members who are appointed to these come from higher communities not accustomed to out-door work, and they find it difficult to cope with it. For instance, the work that is allotted to the reporting of the condition and outturn of the yield of

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crops is allotted to Revenue Inspectors. Again take the work of taking care of the survey stones and the work of the Land Record Tahsildars. Some of these work could be given to men who are accustomed to out-of-door work, men who can do them much more easily, a work which is natural to them than to other communities. I say this aspect of the question may be considered."

* Rao Sahib R. SRINIVASAN :—"Mr. President, Sir, what the Government was fifty years ago is not the Government of to-day. The Government officials are mostly of Indian element. Caste and untouchability are still observed in Government offices. There are depressed classes men in the service under the guise of castemen and Christians. When young Adi-Dravidas enter into service they find it intolerable to keep up their position on account of the iniquitous treatment they receive from caste Hindu officials. A young Adi-Dravida who passed his school final and entered into service at the Collectorate, Chittoor, was transferred to the Labour department. The hon. Member for Madura, Mr. Tulasiram, mentioned about the brain power of the Adi-Dravidas. Their brain power is next to the best among Indians in South India. They are next to the Brahmans according to Mr. Thurston's Anthropology. The sympathy shown by Swarajists or Congressmen is nothing but a political game."

* Mr. C. R. PARTHASARATHI AYYANGAR :—"In support of the motion I wish to say a few words that may serve to expel from their minds the feeling that they have been purposely ill-treated by the upper classes. In India all except the Europeans form the depressed classes. Very often when we meet with persons who think and act in the opposite way we expect them to do we say we are ill-treated. I would make bold to say there is no one who has got any sense of self-respect who would betray their own fellowmen and join the ruling class. Take, for instance, the members of the legal profession who are supposed to be the most independent men. I am speaking from my own experience of the last 30 years. It is not always we get proper treatment from the sort of civilian judges that we expect. They cast aspersions on us and we have to swallow them. Hence I say that the salvation of the depressed classes lies in the hands of their own Indian brethren. There is no use looking for help from a foreign nation. Therefore in supporting this motion I would strongly suggest that the salvation of the depressed classes lies with us."

* Mr. A. KALESWARA RAO :—"Mr. President, I associate myself with the motion proposed by Mr. Siva Raj. I do not see anything else except that untouchability is a great handicap under which these people are groaning and it is a great blot upon the country. But I am glad that the conscience of the country has been roused and I assure my brethren that the times that are coming will be very bright for them. It is true that the Hindu community for some centuries has not treated them properly. But after the advent of the British the little cottage industries that they had have been completely destroyed on account of foreign competition. I assert that the British Government as a Christian Government have not moved their little finger to remove this ban of untouchability."

* The hon. the PRESIDENT :—"Order, order, the motion is not for the removal of untouchability but it is for the entertainment of the members of the depressed classes in the Government services. (Laughter.) The hon. Member will proceed to the next point."

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* **Mr. A. KALESWARA RAO** :—“ In the services they have been handicapped on account of this difficulty. Therefore it is high time that the Government also give them some special facilities, some special protection and help for their amelioration and mix them up with the other people by giving them universal franchise and universal education. With these few words I support motion.”

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* **Mr. D. THOMAS** :—“ Mr. President, Sir, in support of the motion I have to offer a few remarks. We know well that in theory the depressed classes have all the rights that the other communities enjoy. But one cannot hide the fact that deep down in the minds of the masses of the upper class there is a large amount of prejudice which has to be broken down. I believe one of the departments of the services that comes into close contact with the masses and which necessarily commands the fear and respect of the masses is the Police department. The Government have, therefore, to devise ways and means by which this prejudice in the minds of the masses can gradually be overcome. I believe that if 50 per cent of the constables to be enrolled in future are taken from the depressed classes, and if a proportionate number of people of these communities are taken as head constables and sub-inspectors, it would be taking a practical step to overcome this prejudice which exists in the minds of the masses of the people. The policeman is entitled to arrest by touch any member of any community, be he a Brahman or a non-Brahman, and in his daily round he comes in contact with all classes of people. He is a man whom, nobody, however high may be his caste, community or office, can afford to despise. Once this prejudice is got rid of in this way, it would be easy for the depressed classes to assert their rights and take their proper place with all the other communities in the country.”

The hon. Sir **NORMAN MARJORIBANKS** :—“ Mr. President, the object of this motion is to urge upon the attention of Government the poor representation of the depressed classes in the services. I do not wish it to be thought that I consider that they are well represented, but I would ask those who have spoken on the subject to remember that after all we have to recruit to the service people who have some standard of literary education, and it is an unfortunate fact that the members of this class have not generally speaking been educated to the same extent as other members of the community. I do not mean that there is any reproach in this, but I suggest that the first necessary measure in the improvement of the depressed classes is to increase the opportunities for their education and give special opportunities for the promising ones amongst them to advance and get the benefit of higher and collegiate education. I do not know whether it is meant to suggest that Government are placing any obstacles in the way of the members of this community from entering the public services. There are certainly no rules to that effect and there is no spirit of opposition whatever. The figures show that in the lowest grade, the grade through which usually clerks enter service, the number in the Government service has risen from 1,000 to 1,300—an increase of 300 in the last four years. That is something. I do not say it is enough. It shows that Government have not been throwing obstacles in their way. No suggestion has however been made from either side of the House as to what we should do to get more members of this community into the service. Any suggestion of this kind would have been very welcome. Government proposes, when statutory rules of qualification for public service are made under the Devolution Rules, to require that a certain definite

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proportion of the recruitment shall be from the depressed classes. These rules, however, we cannot bring into force until a Public Services Commission is established and we hope that it will not be very long before that takes place."

The motion that the allotment of Rs. 53,200 for Charges of Administration be reduced by Rs. 100 was put to the House and carried.

* Mr. C. GOPALA MENON :—" I beg to move

' The allotment of Rs. 48,000 for pay of officers be reduced by Rs. 100.'

" I wish to ascertain why sufficient reduction in expenditure has not been effected on survey and settlement in view of the retrenchment effected on survey parties. I find from the budget that the revised estimate for 1927-28 is Rs. 23,73,000 while the budget estimate for 1928-29 is Rs. 27,43,300, an increase of about four lakhs of rupees. One party was abolished during the year and there was a proposal to abolish another party; but we find that that party has been retained and the original proposal of the abolition of two parties has not been carried out. Is it due to the fact that sufficient funds were forthcoming or is it due to any other reason? We should like to know from the Government the reason why there has been an increase of four lakhs under this head."

* The hon. Sir NORMAN MARJORIBANKS :—" Sir, I am sorry I do not quite catch where the hon. Member got the four lakhs from. The figure Rupees 48,000 is the allotment provided for the pay and leave allowances of the Director of Survey, two Assistant Directors and a photographic and printing expert. The retention or abolition of the survey parties would not affect the strength of the Central Survey office. I do not know what other figures the hon. Member refers to.

" Apparently he refers to settlement, and the explanation for that is to be found in the Budget Memorandum at page 22 —

" The increase in the budget estimate for 1928-29 as compared with the revised estimate for 1927-28 is due partly to the change in classification by which recoveries from municipalities, unions, estates and private persons of expenditure on survey operations conducted by the Government staff are shown as receipt from 1928-29 instead of as deduction from charges under this head and partly to enhanced provision for resettlement work which is expected to be in progress over a larger area than in the current year. The increase is partly set off by smaller provision under " Survey Parties " due to the abolition of a party."

Mr. C. GOPALA MENON :—" I am not pressing the motion."

The motion was, by leave, withdrawn.

* Mr. D. NARAYANA RAJU :—" Mr. President, Sir, I move

' to reduce the allotment of Rs. 26,11,300 for Survey and Settlement by Rs. 100.'

" I desire to express disapproval of the proposals of the Special Settlement Officer contained in his resettlement scheme report for Kistna, West Godavari and East Godavari districts. The scheme report of the Special Settlement Officer who carried on resettlement operations in these districts was recently published. The proposals of the Special Settlement Officer are to enhance the present rates to the maximum possible extent allowed under the present policy of the Government uniformly for all lands irrespective of their fertility and irrespective of their irrigation and drainage facilities. My first complaint with regard to the proposals of the Special Settlement Officer, is this: he conducted his enquiries in an one-sided manner. The people concerned were not given fair and adequate opportunities to make any

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representations with regard to the matters investigated by him. Of course the usual notification was published in the district gazettes concerned. But the notification was very vague and general. What he was going to make enquiries of and to investigate were not specified in that notification. When the Secretary of the Godavari District Association wrote to the Settlement Officer to know on what matters he was going to make enquiries, on what matters he was going to receive representations from the people, whether he was going to issue any questionnaire or at least specify the heads under which the enquiries would be classified; at first he replied that he would issue the questionnaire or let know the heads under which he was going to make enquiries. He subsequently under instructions from above, either from the Board of Revenue or the Government, declined to issue any questionnaire or specify the heads under which the enquiries would be carried on. Now from the report we find that he selected certain villages as representative villages. The names of those villages were not given in the report. The public know nothing of these villages. People were not in a position to make any representation with regard to the enquiries in these villages. The selection of the villages as representative villages and the enquiries the Settlement Officer made with regard to the economic condition of the people of these villages were carried on at the back of the people concerned. This enquiry without any reference to the people concerned landed the officer in very grave errors. I shall refer to one or two errors which he would have avoided if he had only taken care to consult the people concerned. For instance in carrying on his investigations into the economic condition of the people of the villages he based his judgment on the indebtedness of the people, on the number of mortgage bonds registered in the Sub-Registrars' offices and on the statistics of the co-operative societies in those villages. With regard to mortgages he gives the figures of all mortgages with or without possession registered in Sub-Registrars' offices for groups of selected villages in the years 1901 and 1924. Then come his conclusions from those figures. He remarks 'the most striking feature of the figures is that the number of transactions despite the increase in population, pattas and occupation has decreased by 16 per cent in the delta and 22 per cent in the uplands.' Thus he concludes that the indebtedness of the villagers has decreased instead of increasing despite the increase in population, pattas, occupation, etc. If he had consulted any persons who were conversant with the life of the rural and petty ryots he would not have come to this conclusion. The decrease is due to the fact that the money-lenders have, of late, begun not to take mortgage bonds. Since the income-tax rates were increased and since the income-tax officials began to have close watch over the transactions of the money-lenders, naturally the money-lenders wanted to avoid income-tax, and suppress all evidence of their money-lending business to that end. Therefore except in very rare cases and as a last resort they would not lend money to the ryots on mortgage bonds. The debtors also are generally disinclined to execute mortgage bonds. Once they mortgage their property, no other money-lender would lend moneys to them. The debtor would be a slave to the money-lender to whom his property was mortgaged. The agriculturists would therefore be unwilling to bind themselves by mortgaging their properties to any single money-lender. The money-lenders take mortgage bonds only in cases where the financial condition of the debtors has grown shaky. That this is so is borne out by a remark of the Special Settlement Officer himself in the scheme report. He says that the most

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common purpose of these transactions is to repay old debts. He also admits that the number of debtor agriculturists has apparently increased and that of creditor agriculturists has fallen. That fact he could not hide even from the limited scope of his enquiry. His theory that because there was decrease in the number of mortgage bonds there was no increase in the indebtedness of the villages is fallacious. No opportunity was given to the people of the villages which he chose to call representative villages to show what other debts they had incurred on pro-notes by pledging jewels and on running accounts with the money-lenders. The Settlement Officer never took care to inquire whether the ryots of the villages had got any debts on pro-notes, etc.

"The next point is that the Settlement Officer judged the indebtedness of the people from the transactions of the co-operative credit societies in the representative villages. With regard to co-operative credit societies it has been the experience of officials and non-officials who had anything to do with them that the societies are not in a position to cover the whole indebtedness of the villagers concerned. It is a fact that the indebtedness evidenced by the transactions of the co-operative societies is but only a fringe of the real indebtedness of the people of the village. There are several reasons for that. For instance, if a ryot wants occasionally to borrow Rs. 500 from a co-operative society he has to pay not less than Rs. 50 by way of share money in the co-operative societies. Even after the repayment of the loan of the Rs. 500 he would not be in a position to get back that sum of Rs. 50 of his share money. It will be locked up for all time to come. The ryots who want occasional loans cannot afford to have their share money locked up in co-operative societies. There are several other reasons. The co-operative societies also are not eager to give loans to the agriculturists to repay their old loans; they give only short term loans and it works a great hardship on the ryots if they took these short-term loans. So, the transactions of the co-operative societies do not really represent the whole indebtedness of the villagers."

* The hon. the PRESIDENT:—"The hon. Member may consider the desirability of giving an opportunity to hon. Members Messrs. Ramasomayajulu and K. V. R. Swami to speak on the motion because the whole demand is to be guillotined at 5 o'clock. The hon. Member may also have the advantage of hearing the Government Member if he adjusts the time."

* Mr. D. NARAYANA RAJU:—"I do not want to go into greater length than this. I would only like to refer to one remark made by the hon. the Revenue Member in the course of his reply on another subject this afternoon. He said that the scheme report of the Special Settlement Officer was published some months ago and that no criticism came forward till now. I shall just point out the facts. The report purports to have been published in December. But copies were not available for sale to the public. According to the notification in the *Fort St. George Gazette* this scheme report was placed at the disposal of the Press about 28th February. The public were not able to get copies. With regard to myself I applied for a copy of this report about the middle of January to the Government through the Secretary to the Legislative Council. I did not get a copy till now. Again, when the papers were available for sale according to the notification in the *Fort St. George Gazette* on the 28th February, I applied direct to the

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Superintendent, Government Press, to supply me with a copy. I did not get one till now. So it has not been found possible for the public to offer any criticism as yet."

* The hon. Sir NORMAN MARJORIBANKS :—"No orders have been passed on the report. The hon. Member mistook me if he thought that I said that no criticism had been received. There is plenty of time to receive criticisms."

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* Mr. D. NARAYANA RAJU :—"I want that time should be given to Members to study the report and would request Government to stay their hands and not pass any orders on the report. Several things in the report will have to be criticised after investigation as the report itself is absurd in several points. Sir, I will take another opportunity to criticise the report in detail."

* Mr. C. RAMASOMAYAJULU :—"Sir, I am glad for the chance which I have been able to obtain for I am very particular about this motion. Our chief grievance is this. The inquiry ought not to have been left to an officer who was naturally anxious to show increase in revenue. The conclusions that have been arrived at by the Settlement Officer are these, that the land value has increased from 2 to 5 times, the rentals from 2 to 3 times, that there is an increase in the material prosperity of the people, that communications have improved, that more money was spent on luxuries and that rural indebtedness is not acute. These are the conclusions that Mr. Holdsworth has come to and I will deal with them seriatim. With reference to his statement that land value has increased from 2 to 5 times, my point is this: it does not mean that the prosperity has increased or that the value of the land has really increased. I would point out to the members on the Treasury Benches that there is no other thing but land in which people can invest their money. Therefore, land being the only investment to which the ryots can possibly have recourse to, they must necessarily go in for it. Therefore it is the inflated and artificial value of the land and not the real value. With regard to the statement that the rental value has increased from 2 to 3 times, I would point out again that these people who are by tradition and their habits and customs habituated to only one kind of industry, namely, agriculture, necessarily have recourse to competition in taking lands on lease, even risking the absence of profit. As thus there will be a number of competitors, the rental value of the land has risen and inflated."

"With reference to the rural indebtedness, I want to make one or two observations. Rural indebtedness has increased from 7 to 13 lakhs (approximately) from 1901 to 1924, the number of debtors has increased from 1,181 to 1,515 and the number of creditors has decreased from 1,487 to 1,033. It will be seen from these that rural indebtedness has increased and not decreased as it is sought to be made out. As my Friend Mr. Narayana Raju has pointed out, registered mortgages and co-operative societies cannot show the real indebtedness of the agriculturists. You will have to know something about the usurious interest payable to the sowcar. The percentage of indebtedness towards luxuries in 1901 and 1924 is the same. If we take all these into consideration, we will find that rural indebtedness has increased a great deal. With reference to the years that were taken as the standard, Sir, the Settlement Officer has taken 20 years from 1923 backwards. The report says that there were no famine years among these 20 years. Sir, this

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is an astounding statement. The years 1918-19 and 1919-20 were famine years although according to the Code they were not declared to be so. No man can deny it. With reference to cultivation expenses, the scheme report says the Samalkota farm shows the expenses to be Rs. 50 or 60 per year but awards only 36 rupees per year, and the conclusion is arrived that revenue ought to be raised to the maximum of $18\frac{3}{4}$ per cent. My point is this, that there is hardly any use in increasing the rate to $18\frac{3}{4}$ per cent, as this is sought to be realised from the people. One other strong grievance is that no attention was at all paid to the increased cost of living. This is a serious omission in the scheme report. If the Government is really anxious for the contentment of the people in the land, the scheme should be cancelled and Government should take proper steps to approach for information the people who have got the real capacity to give it."

* The hon. Sir NORMAN MARJORIBANKS :—" Sir, the scheme report has been published for criticism. Government have to consider the report yet, and then pass orders thereon. There is plenty of time for criticisms to be received by the Government, and what hon. Members have said will be taken into consideration."

The motion was put and declared lost.

A poll was demanded and the House divided as follows :—

Ayes.

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|--------------------------------------|---|
| 1. Mr. J. Bheemayya. | 17. Mr. B. S. Mallayya. |
| 2. " R. Nagan Gowda. | 18. " G. Marudavanam Pillai. |
| 3. " C. R. Parthasarathi Ayyangar. | 19. " M. Narayana Rao. |
| 4. " K. Chavadi, Subrahmanya Pillai. | 20. " A. Parasurama Rao Pantulu. |
| 5. " Sami Venkatachalam Chetti. | 21. " C. Ramasomayajulu. |
| 6. " S. Satyamurti. | 22. Basheer Ahmad Sayeed Sahib Bahadur. |
| 7. " C. V. Venkataramana Ayyangar. | 23. Mr. P. Baktavatsulu Nayudu. |
| 8. " T. Adinarayana Chettyar. | 24. " A. Kaleswara Rao. |
| 9. " P. Anjaneyulu. | 25. " R. Srinivasa Ayyangar. |
| 10. " J. A. Saldanha. | 26. " L. K. Tulasingam. |
| 11. " C. S. Govindaraja Mudaliyar. | 27. " K. R. Karant. |
| 12. " G. Harisarvottama Rao. | 28. " K. Madhavan Nayar. |
| 13. " C. N. Muthuranga Mudaliyar. | 29. " C. Venkatarangam Nayudu. |
| 14. Abdul Hamid Khan Sahib Bahadur. | 30. " S. Muthiah Mudaliyar. |
| 15. Mr. K. V. R. Swami. | 31. " P. Siva Rao. |
| 16. " D. Narayana Raju. | 32. Rao Bahadur B. Muniswami Nayudu. |

Noes.

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|---|---|
| 1. The hon. Sir Norman Marjoribanks. | 14. The Zamindar of Seithur. |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 15. Mr. J. A. Davis. |
| 3. " Mr. T. E. Moir. | 16. Subadar Major S. A. Nanjappa Bahadur. |
| 4. " Mr. A. Y. G. Campbell. | 17. Mr. N. Siva Raj. |
| 5. " Dr. P. Subbarayan. | 18. " M. V. Gangadhara Siva. |
| 6. Dr. (Mrs.) Muthulakshmi Reddi. | 19. " V. I. Muniswami Pillai. |
| 7. Rao Bahadur C. V. Anantakrishna Ayyar. | 20. " S. Subrahmanya Mooppanar. |
| 8. Mr. H. A. Watson. | 21. " D. Thomas. |
| 9. " G. T. Boag. | 22. " K. Krishnan. |
| 10. " A. McG. C. Tampoe. | 23. " S. N. Dorai Raja. |
| 11. " S. H. Slater. | 24. Swami A. S. Sahajanandam. |
| 12. " C. B. Cotterell. | 25. Mr. R. Srinivasan. |
| 13. " P. J. Gnanavaram Pillai. | 26. Syed Tajudin Sahib Bahadur. |

Ayes 32. *Noes* 26.

The motion was carried.

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* Mr. K. R. KARANT :—“ Sir, it is my misfortune that this has come at the last. I move

‘ to reduce the allotment of Rs. 26,11,300 for Survey and Settlement by Rs. 100 ’ (To drop the resurvey in South Kanara except for the area covered by the old Kasaragod taluk.)

“ Sir, there was no necessity for the resurvey which is being done now. For the area already covered now, which is about six hundred square miles, the public had to bear a cost of a lakh and thirty-five thousand rupees. If the whole district has to be resurveyed, it will cost about 5 lakhs to the people and it will be quite unnecessary as the last survey was good. I therefore request hon. Members to support this motion.”

Mr. J. A. SALDANHA :—“ Sir, I second the motion.”

* The hon. Sir NORMAN MARJORIBANKS :—“ Sir, this subject of the resurvey of the South Kanara district was one that has been receiving the attention of the Government for some time past. Hon. Members who come from South Kanara, I understood, promised to assist in a decision in this matter by looking into the matter themselves, and letting Government know whether they thought that the record was so defective and inaccurate that it would be detrimental to the ryots' interests not to replace it. I do not know whether any of them have done so. I do not know if the objection is raised on the ground that they examined the matter and found that the records are sufficiently good to form the basis for recording additional changes, or whether it is merely on the ground that it will cost money to prepare new records that they do not wish a resurvey be made. As the larger portion of the cost of any resurvey would have to be paid from public funds, Government are naturally not anxious to incur any expenditure if it can be avoided, but the only reports received so far go to show that the record is incorrect and it is difficult to make any record of further changes on it, and that the interests of the ryots will suffer if a correct record is not prepared. If, after a proper examination of the matter, it is found that the record is sufficiently good, Government have not the slightest desire to spend money on resurveying. I was told that, after my consultation with hon. Members from the South Kanara district they would make local enquiries and give me the result of their experience. It is for that reason that the matter has been kept pending and no decision yet come to as to whether we should take up for resurvey any area other than that already covered.”

The motion was put and carried.

The hon. the PRESIDENT :—“ It being now 5 o'clock, I shall put the demand to the vote of the House. The question is that Government be granted under Demand I—Land Revenue Department, a sum of Rs. 260 36 lakhs minus Rs. 600.”

The motion was put and carried and the grant made.

* The hon. the PRESIDENT :—“ The House will now adjourn and re-assemble to-morrow at 11 o'clock.”

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.